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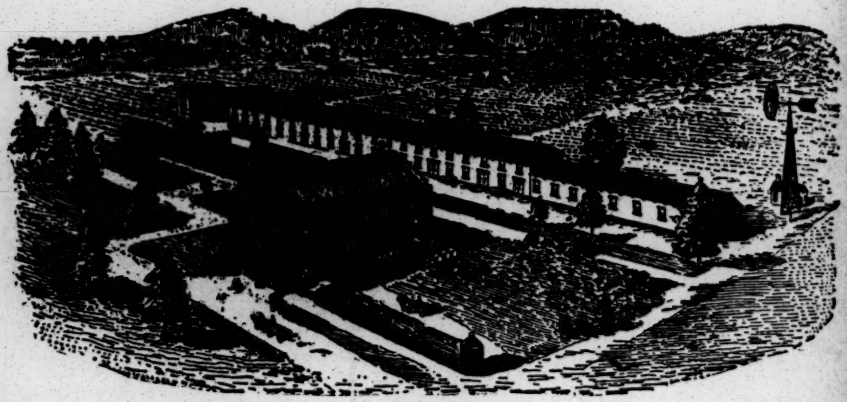

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THE ECCLESIASTICAL REVIEW

VOLUME 103.—SEPTEMBER, 1940.—No. 3.

THE MYSTICAL BODY IN THE SOCIAL AND POLITICAL SPHERE.

THE Protestant Reformers of the sixteenth century in attempting to justify their break with Rome emphasized the doctrine of individualism—the ability of man to save his soul without the mediation of an organized hierarchy. They sought to show that the Church, as it then existed, had departed from the teachings of Christ and His Apostles. Catholic scholars vigorously and ably refuted these assertions. The treatise, *De Ecclesia,* which the patristic and medieval writers had never bothered to discuss explicitly now began to form an important section in dogmatic textbooks. One unfortunate result of this controversy about the juridical nature of the Church was that less emphasis was placed upon the doctrine of the Mystical Body —the unifying principle of theological thought from St. Paul to St. Thomas Aquinas.

It is only within comparatively recent times that the doctrine of the Mystical Body has recovered its rightful place in dogmatic and ascetical writings. These discussions range from learned tomes to facile generalizations. All the writers are unanimous in pointing out the wonderful effects that are certain to follow if this teaching is put into practice. But, to the best of the present writer's knowledge, the historical aspect of this subject has been left untouched. The following article is a modest attempt to supply this deficiency by showing some of the beneficial results that the doctrine of the Mystical Body had produced in former ages when it played such an important part in the everyday life of the faithful as well as in the writings of the theologians.

Slavery.

At the time when the gospel was preached throughout the Roman empire slavery was regarded as a natural and even necessary part of human society. The Church could not condemn this unjustifiable distinction of classes outright without provoking a social and economic revolution. Her efforts were directed first to the amelioration of the condition of the slave and later to the gradual elimination of this degrading institution. Due to her influence the civil authorities from the fourth century onward took away from the master the arbitrary power of life and death over the slave, subjected the murderer of a slave to the same penalty as the murderer of a freeman, legalized the marriages of slaves, forbade the breaking up of their families, and facilitated their manumission. "We do not doubt," writes an impartial, non-Catholic historian, "that the general influence of the Church tended toward the mitigation of the hardships of slaves and even toward the disappearance of the institution." [1]

The Church's attitude toward slaves was based on their dignity as men redeemed by the Precious Blood of Jesus, "before whom is neither Jew nor Greek, bond nor free . . . for you are all one in Christ." (Galatians, 3:27). St. Paul who enunciated the doctrine of the Mystical Body in these striking words gave a practical application of it in the case of the runaway slave Onesimus. Though he sent the fugitive back to his rightful master, the apostle counselled Philemon to receive Onesimus "not as a servant but as a most dear brother" (v. 16). Within the walls of the Church the slave was entitled to the same Sacraments as his master and even in the beginning of the third century we find a former slave, Calixtus, elevated to the papacy. In the monastery no consideration was given to the rank one had held in the world. This sentiment was crystallized in the opening chapter of St. Benedict's rule: "In the monastery there is to be no distinction between the slave and the freeman, for all are one in Christ."

A statement attributed to St. Augustine throughout the Middle Ages expressed the relationship between the master and the slave in a passage that become classical. "If by birth this man is your slave, grace has made him your brother. Like you

[1] A. Carlyle, *Medieval Political Theory in the West*, I, 124.

he has put on Christ; he partakes of the same Sacraments, and invokes God as his Father. Why do you not treat him as your brother?" Carlyle's words are again significant and apropos: "Men, whether slaves or freemen, are called to one common life in Christ and God, called to know God as the common Father and to hold each other as brethren. We may stop here for a moment to notice . . . how clearly we are in the presence of what we may call the modern conception, the fundamental idea upon which the modern, democratic idea of society rests." [2]

Prisoners and Captives.

The general economic insecurity of the early Middle Ages and the scourge of war had caused many people to be thrown into prison. Toward this unfortunate class the Church also exercised her office of charity. The bishop was obliged to see that no person in his diocese was committed to prison unjustly, and to provide for the temporal as well as for the spiritual needs of all who were detained there. The medieval councils, which sternly forbade the use of the sacred vessels for profane purposes, permitted the local ordinary, in case of necessity, to have them sold in order to obtain gold and silver for the prisoners. St. Gregory the Great is explicit on this point: "It would be a disgrace and a crime to esteem the furniture of the Church above the prisoners." Throughout the whole of the patristic and medieval period we find a tender solicitude on the part of the Church toward those condemned to captivity. In the later Middle Ages, when the Moslems had taken many Christians captive, the Trinitarians and Mercedarians were founded for the redemption of these people whose faith and morals were exposed to such exceptional dangers.

The clergy and laity in those centuries were conscious of the fact that in helping the captives and prisoners they were really helping Christ Himself, who said: "I was in prison and you came to me." (Matthew 25:36). Thus St. Cyprian in a letter urging the Christians of Africa to be generous in their contributions for the liberation of captives reminded them of the Mystical Body. "In our captive brethren we must see Christ and redeem Him from the perils of captivity who redeemed us from the perils of sin." K. Krauss in a careful study of prisons

[2] *Op. cit.*, I, 116.

in pagan and Christian times pays this tribute to the work of the Church: "The words of Christ, 'I was in prison and you came to me,' were generously applied to all prisoners without distinction, regardless of their guilt or innocence, or whether they were held there because of their religious convictions or their misdeeds." [3]

The Poor.

An all-embracing and practical love for the poor was one of the most precious legacies which Christ bequeathed to His Church. The wealthly people of Jerusalem deposited their money at the feet of the Apostles for the support of their poorer brethren. St. Paul in his missionary journeys collected alms for the needy Christians. The apologists of the early Church pointed with justifiable pride to the charity of the Christians toward all classes of society as an effective refutation of the calumnies brought against them. The apostate emperor Julian paid a reluctant tribute to the Christians by making the practice of charity an obligatory and essential part of the pagan religion which he was attempting to revive.

When the Roman empire had become Catholic, toward the end of the fourth century, the Church was the prime mover in caring for the poor—a duty which she fulfilled down to the Protestant Reformation. It was the practice throughout the Middle Ages for each church to set aside from one-fourth to one-third of its revenue for the poor. Orphanages and homes for the aged became common throughout Christendom. The monasteries distributed food and clothing to the needy in their neighborhood, and attached to almost every monastery was a "guest-house" for the convenience of pilgrims and travellers. The lands donated to the Holy See—the basis of the future temporal power of the Popes—were given principally for the maintenance of the poor and were called with propriety the Patrimony of the Poor.

The Son of God by identifying Himself with the hungry, the naked, and the stranger (Matthew 25: 35) inspired men with greater respect for and generosity to His "least brethren". There is hardly a sermon on charity from the fourth to the sixteenth century which does not emphasize the doctrine of the Mystical Body. Two examples must suffice. St. John

[3] *Im Kerker vor und nach Christus*, 125.

Chrysostom, addressing the people of Antioch in the fourth century, reminded them: "You take in soldiers whom the civil authority billets upon you, but you will not do as much for the poor for whom Christ asks; set apart a room in your house for that guest, for Christ." [4] And Peter of Blois, a twelfth century preacher, aroused the audiences of his day to the duty of almsgiving by his vigorous language. "Christ who was stretched out on the cross is crucified at our gates and tortured in the person of the poor. In this man, either wholly naked or half clad, Christ languishes and shivers in the person of the poor."

St. Benedict in his rule, which was followed in practically every monastery of Europe for almost five hundred years, declared emphatically: "Let all guests who come be received as Christ Himself, for he will say, 'I was a stranger and you took me in'." When the State toward the beginning of the ninth century began to coöperate more actively with the Church in alleviating the public distress and misery, the legislators did not fail to emphasize the doctrine of the Mystical Body. We quote a typical example from a law of Louis the Pious in 817. "What sayest thou, O man, who dost claim to be a Christian and yet dost not dispose of thy wealth for the benefit of the poor. Christ is poor and thou art wealthy. Christ is hungry and thou aboundest in riches."

Modern writers, even those not of our faith, realize that the doctrine of the Mystical Body supernaturalized the motive for giving help to the poor. Thus writes Sara MacGonagle: "The sixth century in Gaul stands out preëminently as a period of great spiritual renaissance in general, but also as one in which high respect for poverty and the poor, in whom Christ Himself stood personified, operated as a strong, special force and the moving spirit of the age." [5] W. Lecky has expressed this same sentiment in beautiful language: "Christianity effected a complete revolution in this sphere by regarding the poor as the special representatives of the Christian Founder and thus making the love of Christ rather than the love of the poor the principle of charity." [6]

[4] The modern houses of hospitality arose from the practice which St. John Chrysostom here recommends. Cf. Dorothy Day, *House of Hospitality*, xx ff.

[5] *The Poor in Gregory of Tours*, 105.

[6] *History of European Morals*, II, 79.

The Sick.

During the centuries that the Church provided for her poor she did not neglect the sick members of her flock. The first important figure in this philanthropic work was St. Basil of Caesarea. In his archiepiscopal city he erected a special building for the sick of both sexes and placed it under the supervision of monks and nuns. His example was followed in other parts of the Christian world. These buildings, which later received the name of hospitals, were unknown in the pre-Christian world. In Europe especially the care of the sick attained its greatest development. Practically every monastery had its own hospital and some monasteries were built for the express purpose of ministering to the sick. The secular clergy vied with the religious in this work and a hospital was usually built near each cathedral church. The medieval orders of knighthood, the Knights of St. John, the Knights Templars, and the Teutonic Knights were established primarily for those who fell sick or were wounded during the Crusades. Special consideration was shown toward those afflicted with the loathsome, and, it seems, rather common disease of leprosy. About the year 1150 the lepers, who had hitherto been ostracized from society and obliged to live like the beasts of the field, were gathered into homes known as lazar-houses, after St. Lazarus.

The principal motive that inspired this care of the sick was the saying of Christ: "I was sick and you visited me" (Matthew 25:35). Thus St. Basil wrote in his monastic rule: "We who serve the sick in the hospitals are taught to serve them with such a disposition as if they were brothers of the Lord." St. Benedict's rule refers explicitly to the above text of St. Matthew. "The sick are to be cared for above everything and before everything, so that they may indeed serve Christ, who said, 'I was sick and you visited me'." The medieval world identified Christ with the lepers, for Isaias in his prophecy (53:4) had called Him a leper. Thus Pope Clement IV in canonizing St. Hedwig said of her: "She did not shrink from contagious diseases, but devoted herself especially to the lepers out of love for Him who for our sake became a leper." Dr. James Walsh was therefore not exaggerating when he penned the following tribute: "The hospital of today owes much to scientific pro-

gress, generous endowment, and wise administration, but none of these can serve as a substitute for the unselfish work of the men and women who ministered to the sick as the person of Christ Himself." [7]

Political Unity.

The Catholic Church as the Mystical Body of Christ has ever been opposed to racialism, which asserts the superiority of one race over all others; for in assuming our human nature Christ has glorified all mankind. The earliest council, presided over by St. Peter in Jerusalem, condemned the first appearance of this doctrine when some Jewish converts sought to reduce the Gentile members to an inferior position in the Church. Similarly, the Church cannot tolerate the narrow and egotistic spirit of nationalism which engenders hatred of people living outside of a fixed frontier, for "there is neither Gentile nor Jew . . . barbarian nor Scythian, for Christ is all and in all" (Colossians 3: 11).

As long as Christianity was an illegal religion in the eyes of the Roman government her influence upon the constitution and policy of the State was necessarily negligible. But in the fourth century the persecutions ended and soon most of the people in the empire were Catholics. The terms Roman and Catholic became practically synonymous, as we may judge from the prayers in the ancient liturgy: "O Lord, overthrow the foes of the Roman name and of the Catholic Faith." "Through thy grace may both the Roman State and Christian piety be preserved."

The influence of the Church, however, was powerless to arrest the downfall of the western Roman empire, which had begun to disintegrate long before the State had become officially Christian. In its place there arose the independent kingdoms of the Germanic conquerors. Amid the social, political, and economic chaos of those troubled times the Church salvaged what she could of the Christianized Graeco-Roman culture, transmitted it to the new peoples, and thus prevented Europe from lapsing into barbarism. Eventually all of these Germanic tribes were won over to Catholicism and soon their unity in the one Church broke down the barriers which race, language, and law had raised up between them. "The first lesson of Christianity,"

[7] "Hospital", *Catholic Encyclopedia*, VII, 485.

writes Lord Bryce, "was love, a love that was to join *in one body* (italics mine) those whom prejudice and pride of race had hitherto kept apart." [8]

This consciousness of religious unity awakened in men's minds the dream of St. Augustine for a commonwealth of all Christians, an international community in which the rulers would recognize the Church as the supreme and final interpreter of God's moral law, and coöperate with her in promoting the temporal and spiritual welfare of their subjects. Upon no one did this doctrine, embodied in the saint's masterly philosophy of history, The City of God, make a deeper impression than upon Charlemagne. [9] It was hardly a coincidence therefore that he received the imperial crown from Pope Leo III on Christmas Day, 800. Charlemagne and his imperial successors came to be regarded, even by kings actually independent of them, as the highest temporal rulers in Christendom, as the popes were the highest spiritual rulers. How important the doctrine of the Mystical Body was in this union between the secular and the spiritual authority may be judged from the following statement which A. Carlyle regards as one of the clearest expressions regarding the nature of the Church and the State. "Let it be known to all the faithful that the universal Church is the Body of Christ and its head is the same Christ. In it there are two exalted persons—the priest and the ruler." [10]

The Holy Roman Empire rested therefore upon a spiritual foundation—the unity of all the Christians in Europe in the Church, the Mystical Body of Christ. Hence, when the Seljuk Turks in the eleventh century began the persecution of the Christians living in or on pilgrimages to the Holy Land, the Sovereign Pontiffs could easily rally the rulers and people of Europe by reminding them of the doctrine of the Mystical Body. Thus Pope Urban II in the sermon at Clermont in 1095 which officially opened the crusades declared: "We have heard of the dire calamities that are being inflicted upon our fellow-Christians, our brothers, and how the members of Christ are scourged and oppressed."

[8] *Holy Roman Empire*, 89.

[9] Cf. J. B. Scott, *Law, the State and the International Community*, 195, and C. McIlwain, *The Growth of Political Thought in the West*, 159.

[10] *Op. cit.*, I, 255.

If we bear this doctrine in mind it will help us to understand why the popes deposed certain kings and emperors during the Middle Ages. As the supreme head of the Church the Vicar of Christ was obliged to safeguard the spiritual welfare of his flock and prevent it from being harmed. Hence he could excommunicate a ruler whose conduct menaced the purity of the Catholic Faith or the morals of his subjects, just as a surgeon may amputate a diseased member of the human body in order to preserve the life of the patient. Since it was unbecoming for a sovereign cut off from membership in the Church to govern a predominantly Catholic country the pope could lawfully depose him and free his subjects from their oath of allegiance. Innocent III expressed this doctrine very succinctly in his deposition of the irreligious emperor, Otto IV. "Whosoever does not remain faithful to God and to His Church has thereby separated himself from the communion of men and has no right to command the faith and loyalty of others." [11]

Conclusion.

The facts cited above summarize some of the social benefits that followed when men were conscious of their union in the Mystical Body of Christ. The world today needs to be reminded of this doctrine when the masses of the people groan under a "yoke little better than slavery itself." Pius XI realized this when he wrote in his memorable encyclical, *Quadragesimo Anno*: "Then only will it be possible to unite all in harmonious striving for the common good, when all sections of society have the intimate conviction that they are members of a single family and children of the same heavenly Father, and further that they are 'one body in Christ and everyone members one of another'."

In the sphere of international relations a warped spirit of nationalism and racialism has become stronger and stronger. "The false simplicity of a world divided into states, each supposedly containing a single race, a national language, a national religion—or irreligion—and a national economy, has supplanted in men's minds the ideal of the organic and perfectly articulated unity of which the Mystical Body of Christ is the archetype." [12]

[11] Cf. the excellent summary of this question by McIlwain, *op. cit.*, 208, 232.

[12] J. Eppstein, *The Catholic Tradition of the Law of Nations*, 380.

The need of a supranational institution, such as the Holy Roman Empire, becomes more imperative if our western civilization is to endure. To make the world more conscious of this need the Catholic Council for International Relations was established in 1923. In the keynote speech on this occasion Father Martindale, S. J., made his listeners aware of the fact that the success of their plan could be achieved only by emphasizing the doctrine of the Mystical Body. "The Church who will rescue the child if the family tyrannizes over it, and who is the almost fierce protector of the family against the encroaching state, is no less anxious to see a true and living tissue of humanity in which states, people, and races are not fused, and yet where in a true sense there is no more Jew nor pagan, Greek nor Scythian, male nor female, but all are become .One Thing even as the Son and the Father are unconfusedly One Thing." [13]

STEPHEN M. MCKENNA, C.SS.R.

Esopus, New York.

[13] Quoted by Eppstein, *op. cit.*, 227.

THE CONSCIENTIOUS OBJECTOR TO WAR.

THE question of conscientious objection to war is of concern to all who believe in a personal God, the Creator and Lord of the Universe, the ultimate Author of all morality, and the Supreme Arbiter and Retributor of the actions of men. The treatment that follows, then, is not an exposition of formally Catholic doctrine, but an attempted interpretation, in the light of sound philosophical principles, of the natural law in so far as it has a bearing on conscience and war.

I.

An intelligent discussion of conscientious objection presupposes the admission of certain basic moral truths so fundamentally necessary and clearly evident that they might be designated axiomatic.

Conscientious objection necessarily presupposes, before all else, the existence of an essential difference between moral good and moral evil and, just as necessarily, man's physical ability freely to choose between the two. Were it not for the former fact, there could exist no rational basis of conscientious objection to the performance of any particular action or complexus of actions, since all would belong to the moral category. As for the latter, if man were not master of his own actions, conscientious objection to certain actions would be utterly meaningless, as for example, conscientious objection to the phenomena that follow necessarily from the laws of physical nature.

Conscientious objection demands the conviction that morality has deeper roots than mere personal likes and dislikes, individual emotions, private well-being and convenience, and human reason alone; deeper than customs and conventionalities of social groups, deeper even than public welfare and civil laws. If morality were merely the resultant of one or more of these human factors, the same human factors could as readily undo it, and conscientious objection would collapse with the foundation upon which it rested.

Conscientious objection necessarily involves the admission that ultimately all morality, and specifically, in so far as we are here concerned, the morality of war, is based on the very essence of God. Only a believer in the Supreme Legislator can reasonably assume the position that "we ought to obey God rather

than men,[1] and only a theistic state can rationally acknowledge and respect such a position.

As implied in the preceding paragraphs, conscientious objection to war necessarily involves the acceptance of the truth that war in all its phases falls within the controlling and guiding scope of moral principles.

Conscientious objection requires that the true relationship of conscience with the moral law, and with the will of God, be correctly understood and properly appreciated. Conscience is the human intellect in so far as it is the medium by which man comes into the knowledge of the legislator's will, as expressed in His law, and applies this law to individual concrete actions. As soon as the lawgiver has enacted and promulgated his law, his subjects are obliged to apply all reasonable diligence to learn to know it according to the true meaning and intent of the legislator. As soon as they have acquainted themselves with it, they become morally bound, through the medium of conscience, to conform their actions to it. In spite of all good will and requisite diligence, however, it can happen that one remains in complete or partial ignorance of the law or misunderstands its true meaning, with the natural result that well-meant actions are at variance, either completely or partially, with the aim and will of the lawgiver. This is known as an invincible erroneous conscience. The individual is obliged to obey the dictates of such a conscience just as rigidly as though it were in perfect accord with the law, not because it is erroneous, but because he is convinced in good faith that it is true. Conscience, then, is the intellect forcing the reasoned conviction that the lawgiver, divine or human as the case may be, through his law either commands or forbids the performance of this or that individual action and holds the subject strictly accountable to him for obedience or disobedience.

It is a commonly accepted axiom of jurisprudence that no law of a lower order can be valid and binding if it runs counter to the law of a higher legislator. In the case of conscientious objection, the law of the land either actually or, at least according to the objector's good faith conviction, does run counter either to the natural law or to the divine positive law or to the demands of religion. There is only one conclusion for him to

[1] Acts 5: 29.

draw and to follow: God must be obeyed in preference to men, even though the men in the case hold and wield the highest authority to be found on earth.

It is the Church's usual policy to leave to her moralists the discussion and interpretation of the natural law unless or until some false teaching of morality or the special exigencies of the times evoke an official declaration or decision. It is this policy that the Church has pursued up to the present day as regards the natural law in its application to conscience and war.

II.

A conscientious objector, in general, is one who refuses to participate in war at the command of his country because of honest and settled convictions that war is morally wrong. More specifically, he is one who is honestly convinced that war, either absolutely, or only under certain conditions or in certain of its phases, runs counter either to the natural law or to the positive law of God or to the teachings and practices of religion. In consequence, he honestly considers himself strictly obliged on moral grounds to refuse participation in war, either wholly or in part, according to his conviction of its absolute (total) or relative (partial) immorality.

When we come to classify conscientious objectors, we encounter some who are perfectly sincere, and others who are insincere, in their opposition to war—who are really not conscientious objectors at all. We may bring these all together under the general head of spurious or pseudo objectors. To this class belong: (a) the indolent, cowardly, and unpatriotic, who resort to conscientious objection merely as a convenient means of escaping military service; (b) fanatics who are opposed to war with all the proverbial "fire and flame" of fanatics, but who can proffer no satisfactory rational basis for their attitude; (c) those who refuse to enter military service because of an innate repugnance and abhorrence for human suffering, the shedding of human blood, and all that savors of inhumanity, cruelty and brutality; and (d) those who object to war on the plea that it is subversive of human culture and civilization, or that it is destructive of the natural brotherhood of man; that each war is just another link forged in the endless chain of unnecessary wars; that war is the deliberate creation of capitalists

to bolster up a toppling capitalistic system, of munition manufacturers to create markets for their death-dealing products, of merchants to open up or gain control of world markets, of certain political economists to bring about a spurt of artificial business prosperity, or of statesmen to effect a balance of power among nations. None of these, whatever be his specific reason, lack of reason, or pretext for objection to war, can be classed as a real conscientious objector, since he does not base his objection on the settled conviction that war is *morally* wrong.

Various classes of *real*, or *genuine*, conscientious objectors are readily discernible.

If we look to the reason upon which the conscientious objection is based, we have the following classes and sub-classes:

1. Individuals and groups who are honest and sincere in their moral conviction, but whose conviction, in reality, is not based on objective or official interpretation, but on a subjective misunderstanding and, consequently erroneous application of the law. These are laboring under an invincibly erroneous conscience. In this class we find: those who read into the natural law more than it actually contains and misinterpret it as forbidding all war, or certain practices of war, at all times and under all conditions; also adherents of a religious denomination having as one of its commonly accepted doctrines and practices the private interpretation of Sacred Scripture, and who interpret Sacred Scripture as prohibiting all shedding of human blood and hence all warfare; and adherents of religious denominations which hold, as true and certain, doctrines and principles explicitly prohibitory of participation in armed conflicts. In none of these instances is the objector basing his objection on an actually existing law or objectively valid interpretation and application of an existing law. Regardless of the objector's sincere and well-meaning opposition to war or love for peace, his position has no valid factual foundation.

2. Individuals who by private study and personal interpretation and application of the law in the light of actually existing conditions have reached the reasoned conviction that this particular war, or every armed conflict between civilized states today, is immoral. One may belong to this class because one (for example, the trained moralist or ethician), in virtue of deeper study and more technical training in matters of morality, clearly

and correctly discerns implications and applications that lie concealed from the ordinary lay mind; or because one has knowledge of certain facts which have a distinct bearing on the morality of this particular war, but which are unknown to the general public; for example, a man's position with the government may have given him knowledge of the fact that, while the ruler pleads for a declaration of war against an offending country, he has received an honest expression of willingness on the part of the offending country to repair all damages and to enter upon an honorable, just and enduring peace; or, finally, because one is honestly and sincerely convinced that the conditions demanded by the natural law as prerequisites for a just war fall short of complete fulfilment in relation to this particular war, or even must necessarily fall short of verification as regards all wars between civilized states at the present time.

If we center our attention upon the *point*, or *object*, to which the conscientious objector is opposed, we find the following classes: (a) Those who are opposed on grounds of conscience to war in all its phases without condition or reservation of any kind. (b) Those who, distinguishing between war activities that directly involve the shedding of human blood and auxiliary activities and services, cannot reconcile the former with their convictions of conscience, but find it easier, or even quite possible, to do so as regards the latter. (c) Those who on grounds of conscience outlaw all offensive and punitive (vindictive) wars and hold that only defensive wars can be justified, and these only upon the simultaneous verification of certain restrictive conditions. All who acknowledge the binding force of the natural law belong to this class. (d) Those who admit the moral justifiableness of defensive warfare, but balk on grounds of conscience at certain practices that are liable to become common in the course of a war; for example, malicious propaganda and killing of prisoners of war. Again, all followers of the natural law belong here.

Finally, mention must be made of the following classes of conscientious objectors, although they are implicitly contained in the foregoing:

(a) The *pseudo*-conscientious objector, who, as has been stated, is not really a conscientious objector at all; the *subjective* conscientious objector, who is opposed to war on moral grounds,

but the grounds on which he bases his objection are in reality non-existent and he is laboring under an invincibly erroneous conscience; and the *objective* conscientious objector who bases his opposition to war on the objectively existing natural law. (b) The *total* conscientious objector, who is opposed to war and to all its phases without exception; and the *partial* objector, who is opposed only to certain types of war and/or to certain practices of war: (c) the *absolute* (unconditional) objector, whose objection is without restriction of any kind and entirely independent of all conditions and circumstances; and the *relative* (conditional) objector, whose objection is dependent upon the fulfilment or non-fulfilment of the requisite justifying conditions; (d) the objector who admits the possibility of establishing principles and conditions which justify warfare in theory, but refuses to attribute to such reasoning more than mere academic value, since, he says, the principles and conditions thus established can never be verified in reality; and the objector who denies the possibility of even a theoretic justification.

III.

Some principles of morality, conclusions, interpretations, and applications of the natural law which have reference to conscience and war, are clearly evident; they are certain and must be accepted as such. Others are not so certain and hence are open to reasonable discussion and divergence of opinion.

Regardless of whether one's conscience is true or invincibly erroneous, and regardless, likewise, of the precise reason upon which moral convictions are based, so long as one is convinced in good faith that one's conscience is bringing home to him the will of the lawgiver as applicable to his individual actions, one has no moral choice. We are rigidly obliged to follow our conscience.

To all *objective* conscientious objectors (i. e., those whose objecting conscience is in conformity with the objective, actually existing natural law), war, either in its entirety or in part, either this particular war or all wars, according to the scope and nature of the objection, is an *intrinsic* moral evil in the same sense that murder, theft, and rape, for example, are intrinsically immoral.

As regards the *subjective* conscientious objectors (i. e., those who are entirely sincere in their attitude, but in reality are basing their objection either on a falsely conceived higher law or on a mistaken interpretation and application of an actually existing law), the following must be noted: (a) those who ground their objection on a misconception of the natural law must view war as intrinsically evil no less than do the objective conscientious objectors; (b) those who base their objection on God's prohibition as supposedly contained in Sacred Scripture must look upon war as prohibited by divine positive law, not by natural law; (c) those who object to war because of the teachings and principles of their respective religious denominations must necessarily be convinced that war is prohibited by a law having higher binding force than the highest law of the state; but whence exactly this higher law should derive its efficacy, it is difficult to say.

The sincere conscientious objector (both the *objective* and the *subjective*) must be consistent in his conscientious objection. Thus, if he conscientiously objects to all war, he is, in the first place, strictly forbidden to participate in the actual shedding of human blood and the taking of human lives, but he is also just as strictly forbidden to engage in those auxiliary military activities and services, at least, which have a direct and necessary connexion with the fighting. Specifically, such a one is obliged to refrain from voluntary enlisting and must also resist conscription.

The conscientious objector must likewise be consistently loyal to his conscience in the sense that he must follow its dictates to their logical and natural conclusions, regardless of cost and sacrifice. He must be ready to bear the sting of public scorn and derision, to face imprisonment and even execution, whenever the violation of conscience is the sole alternative.

Not only has the *objective* conscientious objector the rigid obligation to obey the dictates of his conscience: he also enjoys the concomitant full right to do so. This right, in turn, engenders in all others the strict duty to respect his right. The same natural law that commands such an objector to obey his conscience, forbids all others deliberately to impede him in his obedience to it. This is but a particular application of the generally accepted principle of jurisprudence that rights and duties are necessarily correlative.

A subjective and falsely conceived duty, resulting from an invincibly erroneous conscience, must be discharged by the individual so long as he continues to labor under his false convictions, nor are others permitted wantonly and maliciously or without sufficient reason to induce or compel him to act contrariwise. Still, his right to follow his conscience in such a case can never beget in others the duty of respecting it at the sacrifice of any important right; nor can the state be obliged to respect it at the sacrifice of public welfare. Hence the *subjective* conscientious objector to war has no strict claim to any special consideration on the part of the state.

All, without exception, whether private citizens or state officials, whether private soldiers or army officers, are strictly obliged to be conscientious objectors in the full and absolute sense of the term whenever there is question of a war that is *certainly* offensive (aggressive). Such a war is nothing but robbery and brigandage on a national scale with the malice of mass murder superadded.

With the same moral stringency all are obliged in conscience to refuse and to resist participation in a defensive war that is *certainly* unjust; i. e. when it is clear and evident that the conditions demanded by the natural law as prerequisites for the justification of defensive warfare are not simultaneously verified. An unjust defensive war takes on the character of aggressive warfare and partakes of its malice. If, however, it be evident beyond reasonable doubt that all the conditions exacted by the natural law are simultaneously verified, and that the defensive war is justified, no one can licitly be a conscientious objector and withhold his services from his country in the face of the invading enemy. To " render unto Caesar the things that are Caesar's " is no less a stern duty of conscience than to " render unto God the things that are God's ".

Even though a defensive war be in itself entirely justified or even demanded by the natural law, there are certain practices which the natural law cannot approve or condone under any condition or circumstance. They are inherently evil, and all without exception are under strict moral obligation to be conscientious objectors whenever there is question of formally participating in them. As an example we may cite the wounding or killing of an enemy who has surrendered or who has been captured.

Uncertainties arise, not from the uncertainty of the moral principles that regulate conscience and conduct in matters pertaining to warfare, but from the difficulty of establishing with certainty the concrete facts upon which the correct application of these principles depends. It is perfectly clear and certain, for example, that no one can conscientiously participate in a war of aggression, but it is no easy matter to establish beyond reasonable doubt that this or that particular war is a war of aggression.

In instances of serious doubt, does not the responsibility of adjudicating the justice or injustice of the war rest with the war-declaring authorities of the state? May we not, or must we not, presume our country to be in the right unless it is evidently in the wrong? We must answer emphatically in the affirmative, provided the heads of governments are believers in God, and in their accountability to God for their actions of state they are ordinarily wont to give proper conscientious consideration to the moral points involved before resorting to the extreme of war. Modern statesmen, however, more often than not, either are deliberately blind to the moral phases of peace and war or, because of lack of training in matters of morality, do not prove equal to the task of assigning to God, morality, and conscience their due place in world affairs. This cannot but serve to weaken confidence in the state's willingness and ability to decide correctly the justice or injustice of a war at the present time. Hence, we are justified in concluding that, so long as modern statecraft persists in neglecting and rejecting the moral element in national and international affairs, we cannot with unquestioning assurance rely upon the judgment of the state authorities to allay all doubts concerning the moral issues involved in warfare.

Following closely upon the formal entrance of the United States into the World War, representative members of the American hierarchy in a joint plege of loyalty solemnly assured the President of the unflinching patriotism and staunch support of all Catholics throughout the land. Within the last few years, however, individual members of the hierarchy have given utterance to official statements which point unmistakably in the direction of the legitimacy of conscientious objection to modern warfare. Do these views, or does either of them offer definite

solution to the uncertainties which we are here discussing? They do not. Nor were they intended by their respective authors to do so. They do, however, point the way to permissive courses of action. After the Bishops' pledge of loyalty in 1917, all Catholics could without further study or discussion safely consider the war a justified war of defence; but it seems too much to say they were obliged to do so on the strength of this pledge alone. On the other hand, supported by episcopal statements, one could scarcely be accused of shirking one's patriotic obligations were one to join the ranks of conscientious noncombatants; but, again, no one is obliged to do so on the basis of these statements alone.

There was certainly a time when all the conditions necessary for a just defensive war could find simultaneous fulfilment. There have been just wars in the past. It is no less certain that, as soon as a solidly organized and effectively functioning vehicle of international justice comes into existence, it will be impossible to have the requisite conditions adequately verified. All wars, including defensive wars, we can reasonably hope will be outlawed by the natural law in the not too distant future. But what about the present? Unfortunately, we are caught "betwixt and between". We are sufficiently removed from the past to realize with certainty the ever increasing difficulty of justifying defensive warfare. However, we are not sufficiently close to the realization of a supra-national agency of international justice to warrant our unequivocal condemnation of all war for the present and for the immediate future. On the contrary, defensive wars can still be justified, so long as there exists no power to which a nation unjustly attacked can appeal, with reasonable hope of effective response, for protection against the oncoming invaders or for reparation of losses and damages which it will be sure to suffer at the hands of the aggressors, if it remains passive.

IV.

I venture, then, the following conclusions concerning conscience and defensive warfare at the present time: (a) as regards a war of self-defence in the true acceptation of the term, it would seem that all are subject to their country's call and would fail seriously in their patriotic obligations were they to resort

to conscientious objection; (b) in the case of a defensive war in the more general sense in which, for example, our participation in the World War was termed self-defence, it would seem that all who think fit may refuse to take part on grounds of conscience, but that none is obliged to do so; of course, the opposite is equally true; all who wish may participate in such a war without sinning, but none is obliged to do so in conscience; (c) as soon as adequate supra-national machinery for the maintenance of international peace shall begin to function effectively, defensive war can no longer find justification, and all will then be strictly bound to become conscientious objectors.

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[This article is a digest of a lengthy report submitted by Father Cyprian Emanuel to the Ethics Committee of the Catholic Association for International Peace. Comment and criticism on the article will be welcomed by the Committee for its consideration before the Report is published. Address the Catholic Association for International Peace, 1312 Massachusetts Avenue, N. W., Washington, D. C.]

SERMON INTEREST OR WEARINESS.

THERE is no weariness like sermon weariness except perhaps a child's first day at school. To the preacher afire with zeal there must be brought the knowledge, sooner or later, that his audience is indifferent to his theme, let us say more or less. Or say, part is interested, part apathetic and the rest definitely bored. There are exceptions of course, but this statement is, I think, generally true. " There is perhaps no greater hardship at present inflicted on mankind in civilized and free countries than the necessity of listening to sermons", said Trollope, the Victorian novelist. The remark is not particularly original, nor is there any need to argue about it. As regards the necessity for listening, many Christians have removed it from their moral obligations. They do not go to church.

In the Church's early days the world offered open hostility: now it offers merely scorn or distaste. This condition, however, now as then, is not a discouragement to the preacher, but rather a challenge.

Preaching, until we have caught the congregation's interest, will have little effect. There will be some persons in every congregation who do not care to listen to a sermon. There will be many who do not know how to listen properly. It presumes a desire for instruction, humility, and a lack of distraction.

The young apostle may not know, as our Lord knew, how thoroughly worldly men can become. Witness the parable of the Sower. The successful man is wrapped in successes; the poor man is wearied with toil. The mother is distraught with family cares; the young are in pursuit of pleasure. Thorns as well as riches choke the word. There are also others "who love darkness for their works are evil ". It is a seductive world. The weight of evil is great; the pull of vice tremendous.

To preach correctly is one thing; to preach vividly is another. How many sermons are true and logical, yet chiseled out of cold hard marble! How few preachers are able to breathe a spirit into the marble!

What can we do to make the sermon interesting? First let us say that religion is not uninteresting. It has inspired more books and produced more speeches and caused more wars than any other single subject in the world. People love it or hate it;

cherish it or fear it; seldom are they uninterested in it. The preacher cannot complain that his subject is banal.

Why is it then that dullness in a sermon is proverbial—" dull as a sermon "? Of course Christianity, for all its priceless benefits, is a yoke. Another reason is, no doubt, because some clergymen preach the word stupidly and even ridiculously.

To make a sermon interesting, first of all the preacher must search for ideas that will reach into the lives of the listeners, for a " captio benevolentiae," an entree to their moods. To particularize, he must interest Jones in the rear pew, his wife, Mrs. Jones, and Mary and Tom Jones. Mr. Jones, the father of the family, may possibly not be thinking at that moment of the eternal truths. Probably, for example, he is pondering upon how he can possibly keep his business going. Despite the tremendous quieting and restraining power of the Holy Mass, Mrs. Jones may be thinking of her neighbor's coiffure. Tom Jones is actually planning a drive in his new car, and Mary is intrigued with a love affair.

Confronted with a hundred or more Joneses, what are we going to say to interest them? The time is short. The preacher cannot rely merely on an academic statement of doctrine. They will listen to it cold and impervious. The doctrine must be popularized, made vital, brought into their lives. What does the subject mean today to Tom Jones with his new automobile? In what way will it enter into the life of sentimental Mary? What sustenance for spiritual life and virtue can Jones absorb from it? And what strength and consolation Mrs. Jones? Confronted with a hundred Joneses, what is the preacher to do to interest them?

The preacher must stand, so to speak, on the level with his audience and speak as one of them. Preach "kindly, familiarly, simply," says St. Vincent. He must talk in their language, both of words and ideas. He may walk with kings, as the poet says, but must not lose the common touch. He must make the abstract in theology concrete.

It must be confessed that many of the model sermons, even of the Fathers, would tire a modern audience. The Second Spring preached as Newman preached it would bore some audiences. The preacher must adopt the style of his sermon to his audience, to the age, and to the occasion.

Probably the sermon's reputation for dullness is due largely to the fact that religious truths are preached, week after week, year in and year out, in the same unchanging way. Even a devout and indulgent laity become tired of truth forever unadorned, and weary of ideas oft repeated.

We must remember the Gospel truths, which were new in apostolic times, are old now. A modern rhyme reads:

> This is their business—those
> Who write, or plead or preach,
> Or learn by midnight's lonely light
> That they may teach:
>
> They do not tell some truth untold
> To this new day:
> They tell some truth already old
> In some new way.

St. Charles Borromeo wrote, " A parish priest should be like a French milliner, always bringing out new modes, in order to keep up the interest and to stimulate a languishing taste." " Non nova, sed nove," says St. Vincent of Lerins. The preacher should try to shed a new light upon an old subject; treat the congregation to a new illustration and unfamiliar comparison; to dress the truth in different apparel. Jesus Christ was never dull. He did not always please his hearers, but he interested them. After His first sermon at Nazareth, you recall, they tried to kill Him. Later, after His discourse in the desert, the multitude wanted to make Him king.

Whilst it is true, as Cicero remarks, that " a forest of facts " is the prime requisite for an orator, nevertheless it is the faculty of imagination that assists him most to interest and win his audience. Imagination helps him to sense possible illustrations, to seize new ideas, and to arrange his thoughts, paint his picture move vividly, argue more convincingly. Imagination, in fact, is required for every great work. No one can write a book, compose a symphony, build a house, or wage a war without imagination. The preacher is like the proprietor of an Eastern bazaar who arranges his goods in the most attractive display. He is " a householder who bringeth forth his treasures, new things and old ".

There is, of course, such a thing as shallow exhibitionism. There are literary raconteurs, eloquent and entertaining. The preaching of novelties, the telling of pointless stories, flights of oratory, undoubtedly thrill an audience, as does an actor on a stage or an acrobat in a circus; but they do not interest it in spirituality nor in God. But there is a definite place for charm in preaching.

Charm is gained by a lively presentation of the subject, by appeal to the reason and emotions of the hearers. It is attained by the use of illustrations, anecdotes. Figures throw bright colors on the screen, and bring out the lights and shades of meaning.

There is in the preacher's art a trump card called analogy. It is not a proof but a similitude, and a most convincing one. There is scarcely a truth of religion which has not its accurate analogy in nature. St. Patrick picked up the shamrock to teach the doctrine of the Holy Trinity. Our Divine Lord pointed to the sky, the trees, the rocks, to illustrate His doctrine. "Unless the grain of wheat falling in the ground die, it remaineth alone. But if it die, it bringeth forth much fruit."—John 12.

Newman's famous sermon "The Second Spring" is an analogy. Aud Butler has compiled a book of analogies of religion and nature. Undoubtedly, nature preaches tremendous sermons, with the starry heavens, light and darkness, beauty, life and death.

God writes in letters often too large for us to understand. There are mysteries that appall and shadows that frighten. The mind needs more palpable illustrations to help it comprehend. "Analogies", says St. Francis de Sales, "have an efficacy unbelievable in assisting one's understanding and moving the will."

And the story! No one has ever found a surer way to hold an audience than by telling a story. It is a magic formula; it holds the listener's wandering attention, and gives him something to pin the moral lesson upon. People will remember far better and longer the lesson embodied in a story. The story may be a parable, an anecdote or a piece of personal history, such as a sick-call or some spiritual triumph or tragedy. There are the lives of the Saints. The world is full of stories. History may be dry reading, but like the dust in the Colosseum, when squeezed, it runs blood.

Nor is the preacher confined to nature and history in searching for topics and methods of interest. Even the business of the world, its pleasures, literature, the arts, even poetry, or whatever else interests man may be used to catch and hold the crowd. If St. Paul came to the Athens of America today, he would probably speak of motors, stocks, and the latest trend in literature, just as he spoke to the Athenians of Greek games, poetry, and Stoic philosophy.

There are other things that help or hinder interest. Brevity contributes to it. "Lamps are put out by too much oil," says St. Francis de Sales. The ideal system, which is also traditional, is a program of frequent short sermons.

If the sermon is not clear, the people will not follow it nor be interested. The deadly monotone drones the preacher's audience to distraction or to sleep. A sermon, no matter how well composed, if merely recited, will move few to penance. The preacher should engage the congregation in an intellectual discussion. Some preachers are too coldly reasonable to be interesting; others are too emotional to be accurate. How often we are told by converts that the decision to submit to the Church is rarely, if ever, arrived at as a result of the logical process of thought, however sound it be in itself.

It will be found useful, therefore, as a homiletic strategy in preaching to include in the sermon:

1. AN APPEAL TO REASON, the intellectual elements;
2. AN APPEAL TO THE EMOTIONS, the warmth of feelings, wonder, love, fear;
3. A STORY OR ILLUSTRATION, the dramatic.

The question of interesting people is often a matter for observation at the moment. Though there are some hard and fast rules, remedies must change with the times. After all, we have a well-behaved and reverent audience as a rule, if not always an eager one. What if there were a rabble shouting, "It is not fit that this man should live," or, "Great is Diana of the Ephesians!" We have only our ignorance to fear; what if we risked forty stripes save one?

We can try to understand, however, that, strange as it may seem, the masses of the people are not influenced so much by cold theological doctrines of religion as by some simple appeal-

ing deed that reaches down and touches the common cords of humanity. For example, Christ crucified. St. Anthony's marvelous preaching is forgotten in the popular appeal won for him by the privilege of holding the Divine Infant in his arms. Then there is St. Teresa with her Shower of Roses. People will listen with polite attention to an explanation of God's perfection, but will lean forward in rapt attention when you speak of the Sacred Heart of Jesus or the Madonna and Child. In other words, the heart has reasons the head knows nothing of. There is a soft spot in the defences of every hardened sinner, could we but find it.

To reach Mr. and Mrs. Jones and Tom and Mary the preacher must search for the gateway to their hearts. While teaching the divine lessons, he must speak to machinists of machines, to lawyers of law, to children of games, to women of dress, to all of the drama of love, hate, joy, as it enters their lives.

It will also help him if he realizes that in the congregation he is about to address there may be men or women who will receive no other check or warning than his before they are summoned to the Judgment Seat of God; souls fighting dreadful battles against sin; some on the verge of despair, others lulled into spiritual indifference by the sweet narcotics of the world's pleasures, or drugged by the bitterness of its pain and sorrow; proud men who need to be humbled, and humble ones who need to be encouraged; a few really hungering and thirsting after justice; but all, sinners and saints, hoping to be inspired to be better, at least in the fugitive longings of their souls.

Perhaps the greatest enemy to interest is complacency: to think the battle is won; to think that people are just waiting for us to open our mouths to hear and then to do. No, man is a perverse and rather restless creature. It requires all the ability, charm, or grace we can muster to interest and move him. Christianity, at least at first, has few attractions to the natural man. And even to the end it will always be bitter-sweet.

If complacency is the preacher's greatest enemy, his greatest power lies in sympathy. To interest others, he himself must be interested. Books that are interesting are written by men or women who have the power to sympathize. It is highly imaginative sympathy which enables them to get inside the

characters portrayed, to feel just as they felt, to see and hear as they saw and heard.

This gift is an absolute prerequisite for a great poet or a great actor—and for a great preacher. The author lives the characters he portrays. That is the secret of Shakespeare's power, of Dante's, of Booth's, of Duse's. It was one of the secrets of Newman's influence as a preacher. He seemed to understand the spiritual difficulty of each of his listeners, and to preach to each one.

A man who has never lost all thought of self in the supreme abandonment of love could not possibly write a perfect love poem, nor can man preach a great sermon who has not forgotten self in the love of God and his neighbor. The preacher must enter into his auditor's character by an immense sympathy, whereby is conferred upon him an acute intuition and understanding of his soul's problems, together with the ideas and the language necessary to move him.

Our Divine Lord had this quality of sympathy, of course in the highest degree. It stands out remarkably in St. Paul. If it were given to us to choose our style of preaching, after Jesus Christ and St. Paul, I think it would be that of St. Bernard, or St. Francis de Sales, or possibly St. Vincent de Paul. These Saints were coldly reasonable and yet warmly devotional; they preached simply but not dully. They were philosophical and yet not abstruse, sympathetic and yet not sentimental. They were highly spiritual and yet human; though accurate and precise, they were interesting. Compare these two sermons for interest.

1. THE IMMACULATE CONCEPTION.

> The Immaculate Conception is a dogma of our Faith. All Catholics must believe that Mary, the Mother of Jesus, was conceived without sin.
>
> From the earliest days of the Church, Christians believed in the great dignity and purity of the Mother of God. The early Fathers of the Church never tire of extolling the sinlessness of Mary. It is true they did not all say explicitly that she was conceived without sin, although they all agree as to her spotless innocence.
>
> This idea of Mary's immaculate purity has continued down through the centuries. It was not, however, until 8 December,

1854 that the belief in the Immaculate Conception of Mary became an article of our Faith which must be believed. On that day Pope Pius IX pronounced and defined the Immaculate Conception: "In the first instant of her conception, by a singular blessing and grace granted by God, in view of the merits of Jesus Christ, the Saviour of the human race, she was preserved exempt from all stain of original sin".

The subject of this immunity from original sin is the person of Mary at the moment of the infusion of her soul into her body. The term, Immaculate Conception, does not mean that she was merely born sinless nor that she was born in a miraculous way. The virgin birth refers to another doctrine of our Faith, namely, Christ's miraculous birth of a virgin mother. The Immaculate Conception does not mean merely that Mary never committed any sin. It means rather that Mary was preserved free from all stain of original sin at the first moment of her animation or conception and that sanctifying grace was given to her before sin could have taken any effect in her soul. Original sin was not removed from her soul, as it is removed from others by baptism. It was excluded, it never was in her soul. Simultaneously with the exclusion of sin, the state of original sanctity or innocence, as opposed to original sin, was conferred upon her. She was not exempt from the temporal penalties of original sin; namely, sorrow, bodily infirmities, and death. But she was by her Immaculate Conception free from all depraved emotions, and passions essentially pertaining to original sin.

The reason for all this, my dear brethren, is because she was to be the Mother of God. And the cause was likewise the foreseen merits of her Divine Son.

Holy Scripture does not prove this dogma, but says much to indicate it. The sentence against our first parents was mitigated by the promise, "And I will put enmity between thee and the woman and thy seed and her seed; and she shall crush thy head and thou shalt lie in wait for her heel" (Gen. 3:15). The woman who was to crush the head of the serpent was Mary. She was to be exalted above all the influence of the serpent or the devil.

When the Angel Gabriel announced to Mary that she was to be the Mother of God, he said, "Hail, full of grace" (Luke 1:28). The Church has also applied the beautiful passage from the Canticle of Canticles (4:7) to Mary; namely, "Thou art all fair, O my love, and there is not a spot in thee."

It is quite reasonable to suppose that Mary, who was to be the Mother of Jesus, should herself be free from sin. It is most

fitting that the Mother of the Redeemer should never have been under the dominion of Satan.

We celebrate the Feast of the Immaculate Conception on 8 December. It is a holiday of obligation in this country, since Mary Immaculate is the patron of the United States.

With this exalted view of Mary and her high prerogative of sinlessness we ought to find it easier to be devout to her. She is the one sinless creature of our race. St. John in the Apocalypse envisions her, " Behold, there appeared in the Heavens a woman clothed in the sun and beneath her feet the moon, and around her head a crown of twelve stars " (Apoc. 2). Let us be proud of this great dignity conferred upon the human race in the person of Mary. And let us pray to her to keep us from sin.

2. THE IMMACULATE CONCEPTION.

On 8 December, 1854, Pope Pius IX declared and defined the Immaculate Conception, " In the first instant of her conception, by a singular blessing and grace granted by God, in view of the merits of Jesus Christ, the Saviour of the human race, she was preserved exempt from all stain of original sin." This definition of the Immaculate Conception of our Blessed Mother was a very happy day for the Church, and the culmination of the age-old belief in the spotless purity of Mary. It is our purpose to-day, my dear brethren, to try to explain this doctrine of the Church and to attempt to tell you its full meaning.

Let me begin by telling a story. In the year 1838 the Blessed Virgin Mary appeared to a novice of the Sisters of Charity in Paris. She appeared as a beautiful woman with hands outstretched as if dispensing blessings. Around the apparition in bright letters there appeared the inscription, " O, Mary, conceived without sin, pray for us who have recourse to thee."

Sixteen years later, as we have said, Pope Pius IX proclaimed the dogma of the Immaculate Conception. Then swiftly on the heels of this proclamation the Blessed Virgin Mary again appeared, this time to Bernadette at Lourdes in 1858. And in response to the question of the child Bernadette, " Who are you?" replied, " I am the Immaculate Conception."

Would it not appear that the first apparition was an invitation and the second apparition a thanks from the Blessed Virgin to the Church for proclaiming her great privilege of innocence?

The Church had always considered Mary as the most noble and gifted of women. The Fathers of the Church never tire of speaking of her spotless innocence. The faithful have always looked to her as a model of goodness and charity. But it was

not until the year 1854 that this privilege of hers was defined and once and for all authoritatively established.

The Immaculate Conception, my dear brethren, is a big word and perhaps needs explanation. Let us say first what the term does not mean. It does not mean that Mary was merely born without sin, or sanctified as St. John the Baptist was. It does not mean merely that she was especially blessed by God with many graces. Nor does it imply that Mary lived a spotless life without committing any sin. She had all these privileges and something more. The Immaculate Conception means, as the Holy Father has said, that at the very first moment of her conception, of her existence, she was preserved free from all stain of original sin and from all the effects of original sin, although she did inherit, like the rest of us, sorrow, physical infirmity, and death.

Let us explain a little further. God always prepares a thing for the work it is to do. The sun, for example, is made to heat and light the earth, and is made of extraordinary fire. The birds to fly have wings. The animals, including man, have all the gifts and qualities necessary to live and thrive. Men act in the same way. We build a thing according to the use we intend to put it to. For example, a poor man builds a small house, whereas a rich man builds a palace. A village has a small town hall; a city has a great capitol. We drink out of cups of china and glassware made thus cheaply because they are to hold merely our food and drink. A chalice is made of gold or silver. It is beautifully ornamented, sometimes with jewels. After it comes from the hands of the goldsmith, it is taken to the bishop who consecrates it with Holy Oils. Why all this? Because it is to hold the Precious Blood.

Now Mary was created not for ordinary purposes like the rest of us. She was created to be the Mother of God; what virtue and grace should ornament her soul! First of all, we will say that her soul should be without blemish, without sin. That is what the word immaculate means, without stain. But that is a negative description. A thing might be without stain in one way and yet not lovely or beautiful. There are people who are not bad, but they are also sometimes not very good. They are negative characters, we say. But Mary was not merely without stain; she was, as the Angel Gabriel said to her, " Hail, full of grace ". In the Apocalypse St. John pictures her as " the woman clothed with the sun and beneath her feet the moon and around her head a crown of twelve stars."

To help us get a clear view of the beauty of Mary's soul on account of her Immaculate Conception, let us repeat a story of the Old Testament. When Josue, who succeeded Moses as leader of the chosen people, was bringing his followers into the promised land, he came to the Jordan River. The river, swollen with water, presented a barrier to their entrance into the promised land. The question was, how was he to get this vast amount of people across the river. At God's bidding he stretched his cloak over the water; and as he did so, it parted; that on the one side running off into the Dead Sea, and that on the other side standing still, piling up until all of the Israelites had crossed the river dryshod. When the last one had set foot in the promised land, then this water that had been mounting higher and higher swept in one great wave down to the Dead Sea.

So we may say that when Adam committed original sin the supernatural glory destined for the human race was stopped and never reached man. But at the instant of Mary's conception all this loveliness of innocence and beauty of virtue which had been denied us by the sin of our first parents swept into her soul and made her the Lily of Israel, the Rose of Sharon, " nature's solitary boast," the Immaculate Conception.

" O, Mary conceived without sin, pray for us who have recourse to thee."

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IS ALL PROFIT UNJUST?

IN a recent number of the magazine *Consumers Coöperatives* there was quoted with approval an advertising slogan of the Coöperative Society of Sydney, Nova Scotia: "Any price in which there is a profit is not a just price," from which the conclusion is evident that all profit is unjust. But is it? It seems rather a broad, dogmatic statement, and certainly it is out of harmony with the views of most Catholics. They think that some profit is just, and that in prosperous times a large number of people manage to secure a profit. Indeed, the general impression is that the more people who receive a profit, the more prosperity. One's first impulse, therefore, is to dismiss this advertisement as on a par with the Socialist assertion that private property is robbery, and to regret that by such wild claims coöperatives are blinding neutral observers to the good elements in their system.

But what gives one pause is the possibility of this advertisement being sponsored by Catholics. Lately one has heard so much of St. Francis Xavier University, Nova Scotia, establishing coöperatives, that one wonders if this coöperative in Sydney, Nova Scotia, be under the University's auspices, and so whether this assertion of the injustice of all profit have some Catholic authority back of it. Do some Catholics say that "any price including a profit is not a just price," as Mr. Benvenuti and some other Catholics call a contract for interest "the iniquitous contract"?

The average Catholic's attitude toward interest and his attitude toward profit are probably somewhat analogous. Just as Catholics generally (despite a rather vocal group in England) think that some interest is reasonable and justifiable, but that there is a limit to the rate of justifiable interest beyond which it becomes usury; so they think that there is a reasonable and just profit and an unreasonable and unjust profit. For a man to corner the market on wheat and then charge a price which would net him 100% profit, every intelligent Catholic would admit is unjust; but the same Catholics would think that for a merchant to secure a profit of 10% retailing coal is not unreasonable or unjust. So much for popular opinion.

Theologians, however, define interest as a charge (over and above a return of a like quantity of the thing loaned) for the

use of a fungible (that is, an article which disappears in its first use, as a loaf of bread), and so the theologian says that all interest in this technical sense is, in itself, usurious and unjust. For interest in this strict sense there is no *intrinsic* ground of justification, though there may be one or more *extrinsic* grounds justifying its acceptance. Does the attitude of theologians on price similarly differ from popular opinion, so that there is a sense in which one might say with the advertisement, " Any price which includes a profit is not a just price "?

Theologians discuss just and unjust prices, but, so far as I know, they do not say specifically that any price including a profit is, on intrinsic grounds, an unjust price. But the reasons given by theologians justifying a price which includes a profit would seem to be extrinsic rather than intrinsic grounds. In fact, they do not consider the intrinsic nature of the problem with anything like the thoroughness with which they have considered the intrinsic nature of interest.

The following discussion, therefore, may at least serve to point out a problem and arouse comment.

First of all, we should understand just what is meant by " profit," for, like " interest," the word is used in several different senses. Thus, dividends are often looked upon as "profit," as when the Virginia tax return specifies: "'Dividend' means any distribution out of profits." The sense in which " profit " is understood by economists is given very clearly by Professor Fairchild in his *Elementary Economics:* " Profits are the net income of business or the difference between the income and the costs, the costs including rent, interest, and wages of management whether explicit or implicit." [1]

Turning to a Catholic source, we find the same definition expressed in different words in *A Dictionary for Social Students,* published by the Catholic Social Guild of England: " Profit, accurately used, means the surplus, if any, when the other factors of production have been adequately remunerated, and the costs of production met." The use of " other " in this definition seems to imply that " profit " is a factor of production. But evidently this is not intended, for under the word " production " the *Dictionary* specifies: " Production . . . re-

[1] II, p. 250, edition of 1931.

quires two primary factors—*things* to be used, and *persons* to use them, or *land* and *labor*, to which we must add the secondary factors of *capital* and *organizing ability*." "Cost of production," it says, "include wages, rent, interest, taxes, raw materials, transport, advertisement, and insurance. These costs must be met before there can arise any *profit* from the business."

Without thereby introducing any error, these two definitions can be shortened to make "profit" mean: "any excess of receipts over costs". We shall use "labor" to cover all human exertion expended in the productive process—unskilled physical labor, skilled labor, mental labor, labor of design, labor in advertising, and all labor of management. Hence there are three, and *only three*, factors of production: *land*, *labor*, and *capital*. "Wages" will be used in the sense of any compensation to "labor," whether so much per day, or an annual salary (even in six figures), or a bonus, or a share of any surplus after paying other costs, provided that the payment does not exceed what the labor so remunerated has contributed to production.

Keeping in mind these definitions, the first thought that occurs is this: if only three factors—land, labor and capital—contribute to production, is there any *intrinsic* reason why a part of the proceeds of production should be allocated to a fourth quiddity (it is not a factor of production), "profit"? If any moralist or economist, Catholic or not, has ever given such an *intrinsic* reason, I have failed to see it. Moreover, have land, labor, and capital been "adequately remunerated" when (of course after previously subtracting such costs as taxes, raw materials, insurance) they receive less as rent, interest, wages than they contributed to production? And can anything be distributed as "profit" if the *three*, and *only three*, factors of production receive the whole equivalent of what they contributed?

Leaving this aside for the moment, however, it seems evident that even in the most prosperous times not everyone receives a "profit". Of course, some persons do not receive a "profit" because they are handicapped in various ways, and others do receive a "profit" because they have special advantages. But if each one had the ability and driving force of a Henry Ford or of a John D. Rockefeller, it would be impossible—indeed,

more impossible than it is now—for everyone at the same time to get a " profit ". In fact, it is as mathematically impossible for everyone simultaneously to get a real " profit " as it is for everyone in a poker game simultaneously to win the jackpot. For " profit "—adhering to the above definitions of " profit ", " factors of production " and " costs of production "—implies getting something more out of the business game than one has put in. One person can do that, a majority might do it, but *everyone simultaneously* cannot do it.

One reason for this is that if everyone simultaneously were to get a " profit," it would mean such a uniform and universal increase in prices, with a corresponding decrease in the purchasing power per unit of the money in which the " profit " would be paid, that the " profit " would be an illusion. This is as true of " profit " as it is of wages, and is no more subtle than the clearly recognized distinction between " real " and " nominal " wages. When labor receives an increase in nominal wages exactly balanced by an increase in the price of things labor has to buy, actually labor's real wages have not been changed. What obscures this point is the fact that the factors of production do not receive as compensation what is considered their share of the articles produced—as an artisan in a shoe factory so many pairs of shoes—but an amount of money with which they buy what is supposed to be the *equivalent* of what they have produced.

Less obviously, but just as truly, it follows from these definitions of " profit," " factors of production," and " costs," that *no one man can get a profit in the business game unless others get less than the equivalent of their contribution to production.* This is analogous to the familiar law of kinetics: " to every action there is always an equal and contrary reaction ". That law is not immediately obvious to the average observer, but it can be proved by anyone willing to examine the proof. In a similar way, it is not at once clear that for every " profit " there is always an equal loss to somebody somewhere; but an analysis of the situation, complex as is that situation, would seem to prove it.

Because costs must be met before there is any " profit," let us begin the analysis by examining a little more closely the meaning of "costs of production ". Among the costs specified

by the Catholic *Dictionary for Social Students*, it will be recalled, are any legitimate payments for the use of capital (interest), or for the use of land (rent). Such payments are as truly costs as are payments for material or for taxes. Hence rent or interest received by an investor, manager, or by anybody else is not " profit," provided such payments do not exceed the share which the land or the capital involved contributed to production. Consequently, an elimination of " profit " would not deprive owners of either land or of capital of what their property has produced.

This explanation is important because many persons confuse " dividends " with " profit ". They speak of a business which distributes a hundred thousand dollars in dividends as making a hundred thousand dollars " profit ". But so long as the stock on which the dividends are paid truly represents actual capital—that is, the product of past industry used as an aid to further production—and the payments do not exceed what would be justifiable as interest, the dividends are not " profit," but compensation for the share which capital contributed to production.

This is true even if the owner of the business receives all excess of receipts over actual expenditures because he owns the entire capital, and there are no *formal* dividends. For instance, if we consider two businesses, each using actual machines of equal value, in one of which businesses there is no stock and the owner of the business owns the machines free of all debt, and in the other of which businesses the owner had to borrow to buy the machines: then, before calculating the " profit " of the first mentioned business, what the owner would have had to pay in interest had he borrowed to buy the machines should be subtracted, at least on the concern's books, before calculating the " profits ". It is not an *actual* expense, but it is nevertheless a legitimate deduction in order accurately to determine " profit ".

What has been said of interest is equally true of rent. Suppose that farmer A owns fifty acres on which he raises 250 bushels of wheat which he sells for $250; and suppose that farmer B rents for $80 fifty adjoining acres on whcih he raises 250 bushels of wheat which he sells for $250. Farmer A—disregarding taxes and all expenses other than rent—has not made

$80 more " profit " than has farmer B, for $80 of farmer A's receipts should be considered as rent.

Throughout this paper, then, " profit " is used to mean the excess of receipts over costs, even when some of those costs, because of ownership of land or of capital, are paid to the recipient of the true " profit ".

Remembering that " profit " is an excess of receipts over costs, the question naturally suggests itself: whence come receipts, whether or not they exceed costs? Receipts come from sales to purchasers, and in a money economy such as ours, sales are in exchange for money. Where do purchasers get the money with which to buy? It has been distributed directly or indirectly by some business, and usually by a business other than that of the seller. The receipts of the seller are in exchange for something which the seller's business has produced.

But since only three factors—land, labor (whether labor of management or of design, whether skilled or unskilled), and capital—have contributed to the seller's production, from one standpoint the total receipts of the seller should be distributed to the three factors which produced what he sells. In that case, costs would equal receipts and there would be no " profit ".

The situation is complicated, however, by the fact that the amount to be distributed to these three factors because of a surplus (" profit ") depends upon the volume of receipts, which obviously depends upon the amount purchasers buy. Hence, until the total paid-for sales are known it is impossible to tell whether or not a particular price for an article includes a " profit ".

Thus, if 5,000 books are printed in an edition and only 2,000 of them are sold, the publisher's expenses for each book sold would depend upon previously determined expenditures for labor, material, etc.—supposed in this example just to balance the receipts from selling 2,000 books; whereas if the same 5,000 books were printed and 5,000 sold, the same (or approximately the same) predetermined expenses would result in an excess of receipts over costs, or a " profit ".

Should excess of receipts over costs (" profit ") be distributed entirely to the owners of the business selling the articles? or partly to the owners of the business and partly to the employees?

or entirely to the employees? There are advocates and actual examples of each plan.

But there is still another possibility, a refund of the excess of receipts over costs (" profit ") to the purchasers. And there are advocates and actual examples of this plan also. From one standpoint, indeed, the purchasers caused this excess of receipts over costs by the volume of their purchases, and therefore, claim the advocates of a refund, the excess of receipts over costs (" profit ") should not go to the seller or to his employees. Should, then, the excess of receipts over costs (" profit "), assuming that the three factors—land, labor, and capital—producing the goods have already been reasonably compensated, be refunded to the purchasers—that is, to the consumers?

In a way, the problem has analogies to the old query: which comes first, the chicken or the egg? Which comes first, not in point of time, but in emphasis and importance, production or consumption, selling or buying? Is production for the sake of consumption, or is consumption for the sake of production? Does the buyer exist for the sake of the seller, so that the seller may secure a " profit "? Or does the seller exist for the sake of the buyer, so that the buyer may get goods?

We may say that, on the whole, since the industrial revolution, or at least since the dominance of mass production for sale, we have had a producers economy. That is, production is directed by producers whose object is to sell and who take whatever " profit " or loss there may be. Naturally, producers have to consider to some extent what consumers want, but the dominant idea in the producers is to sell. Hence, producers will manufacture anything they can sell, whether or not it is best for use. And by every means of advertising at their disposal they attempt to inveigle the possible purchaser into buying.

One of the obvious characteristics of this producers economy is that production and consumption (which implies purchasing power) do not balance. In spite of graphs and sales charts, and whatever other aids producers have in forming a judgment, they sometimes produce more than they can sell, inventories pile up, employment is curtailed, thus further reducing purchasing power, and we have what is euphemistically called an industrial depression with its untold misery of unemployment, poverty, starvation. In our one hundred and fifty years of national

existence, the years of depression have probably been double the years of prosperity.

In a producers economy, any " profit " usually goes to the producers and principally to the owners of the business. And since " profit " is an excess of receipts over costs and wages are a cost, the owners have a strong temptation to make wages (except wages of management) as low as they can. This keeps down the purchasing power of the lower-bracket wage-earners, at the same time that " profit " increases the purchasing power of some owners of land or of capital. Furthermore, because the price of what laborers buy includes a "profit," the purchasing power of laborers (from whom to a large extent the buying must come in order to balance production and consumption) does not cover as many goods as it would if the sellers' " profit " had been returned to the purchasers at stated intervals.

Of course the distribution of " profit " to the owners of business instead of to employees or to purchasers is not the only reason why one thirty-third of the population receives one-third of the national income, nor why one-third of the population receives a purchasing power below the borderline of poverty. If it were the only cause of this situation, then distributing " profit " to employees or to purchasers would in itself bring about a sufficiently wide diffusion of income to balance production and consumption. But the fact that generally owners of business get any excess of receipts over costs is a contributing cause to maldistribution of income (purchasing power), and so to periodic depression, over-production and under-consumption, unemployment.

Moreover, since money is purchasing power, what is really distributed, though in the first place money, is really equivalent to goods, and so to what has been produced. A wage-earner making structural steel is not paid in I-beams, because he does not want I-beams. He is paid so much money with which he buys what he does want. What he wants, whether goods or services, is produced by someone, and hence what is distributed in wages is really what has been produced.

Consequently, though it may not at first sight be apparent, in an economy for sale *there can be no " profit," in the sense of an excess of receipts over costs, for anyone unless that person*

receives more than he has produced, and the excess so received will have been subtracted from what someone else produced.

Simplifying a very complex system of exchange, suppose that farmer A and farmer B have each produced 100 bushels of wheat. Can farmer A exchange his wheat with farmer B for 110 bushels and farmer B exchange his wheat with farmer A for 110 bushels? Naturally not. The introduction of money, the substitution of thousands of products for the wheat, the multiplication of producers by millions, spreading the transactions over months or even years, complicates the problem but does not invalidate the simplified example of the two farmers.

Or imagine the production of everyone dumped into one vast vat. Can each one get back more than he put in as his production? Evidently not. For the whole cannot be greater than the sum of its parts. The fact that production and distribution is not a static affair, but something like flowing water with time to be taken into consideration, although it makes the comparison limp (as all comparisons limp), does not entirely nullify it. As "profit" has not contributed to production, if a portion of production go to "profit," that portion must be the production of one or more of the three factors—land, labor, capital. There may be Forty Thieves in the business world, but there is no Ali Baba producing, without land, labor, or capital, merely by rubbing a magical lamp.

Some labor may contribute more to production than does some other labor, and so should receive more than other labor receives; some capital or some land may produce more than other capital or land produces and so should receive more than other capital or land receives. Some laborers may own productive land or capital, and so should receive more than is received by those who own neither land nor capital.

Therefore an equal distribution is not demanded by these reflexions on "profit". But some—whether owners or laborers—cannot receive more than they *contributed* to the vat ("profit") unless others receive less than they contributed. Since land, labor, and capital account for the total in the vat, a portion cannot go to a fourth quiddity, "profit," unless some labor, or some land, or some capital receives less than it has contributed. And unskilled labor being in the weakest posi-

tion, it is more likely to be unskilled labor than land or capital which receives less than it has contributed.

" Profit " contributes nothing physically to production. "Profit " (or the hope of " profit ") is merely a psychological incentive for some owners of land or of capital to use, or to allow for a consideration enterprisers to use, their land or capital for production. Sometimes " profit " (or the hope of " profit ") is an incentive to produce useless luxuries for the one thirty-third of the population having purchasing power for such things; sometimes it is an inducement for the ill-advised to produce what they wrongly guess can be sold.

But that " profit " (or the hope of " profit ") is an indispensable inducement for production is belied by the fact of Rochdale coöperatives doing one-eighth of the enormous retail trade of England; as well as by the example of such astute and gigantic institutions as the Metropolitan Life Insurance Company, which was once a joint-stock company in which " profit " went to stockholders but which changed in 1917 to a mutual (non-profit) corporation owned by the policy-holders who now receive any savings. Such non-profit or mutual organizations—including savings banks, fire insurance and casualty companies, building associations and others—have assets of *fifty billion dollars.* This is quite a sizeable proof, if any proof were needed, that " profit " (or the hope of " profit ") is not always and in every line of business a necessary condition to accumulate capital or to attract competent executives.

All this might indicate that the elimination of "profit," in so far as it can be eliminated, might be a good thing for society as a whole, but would not necessarily prove that "any price including a profit is not a just price ". There might be some kinds of business so complex and so tangled that the elimination of the profit motive is impossible. Even in coöperatives, despite the Sydney, Nova Scotia, advertising slogan, the price charged originally includes a " profit," else they could not stay in business. There is no such thing as a business selling for any length of time strictly at cost. For the costs per unit (as was illustrated by the example of publishing) depend upon the number of units sold. And the number of units of any given article which will be sold cannot be predicted with sufficient

accuracy to avoid bankruptcy if the original price simply covers costs.

Coöperatives avoid the difficulty by first charging a price including a " profit," and then at stated intervals returning any surplus (" profit ") pro rata to the purchasers. But for any given purchaser his pro rata share of the surplus may have accumulated from what someone else bought, not from what he bought. Thus a grocer might sell tea, coffee, sugar without accumulating any surplus on such sales, yet the purchaser of such articles might receive his pro rata share of the surplus accumulated on sales to other buyers of bread, preserves, vegetables. The implication of the Sydney, Nova Scotia, advertising slogan is that the coöperative does not charge a price which includes a " profit," though in reality it originally charges such a price; or the implication is at least that it returns to each purchaser the " profit " accumulated on his purchases, though in reality the " profit " may have accumulated on the purchases of someone else.

The fact that " profit " can hardly be returned with exactness to the particular purchaser on whose buying it was accumulated is shown very clearly in regard to life insurance. The difference between a joint-stock (profit) and a mutual (non-profit) insurance company is not that in the one case premiums (price) include a "profit," and in the other case they do not; for the premiums are approximately the same. The difference is that in a joint-stock company the savings (" profit "), if any, go to the stockholders, whereas in a mutual insurance company any such savings go to the policyholders. The pro rata share of the savings (" profit ") which any particular policyholder (purchaser of insurance) receives are not the exact savings made on his policy (purchase), for on that there may actually have been a loss, but savings made on all policies.

Certainly we cannot say universally and unconditionally that any price including a " profit "—remembering the definition of " profit "—is unjust. But it would seem we can say that the grounds justifying " profit," as the grounds justifying interest, are *extrinsic* rather than *intrinsic*. Among such grounds are the stimulating effect upon business as a whole, the difficulty of fixing before sale prices which do not include a " profit," and the fact that we live in an economy where the " profit " system

dominates—is accepted as reasonable if not, indeed, necessary. Perhaps that system should be changed by a universal application of the non-profit coöperative or mutual principle, but until it is changed the individual living in an economy where "profit" (or the hope of "profit") dominates is justified in receiving a "profit". The situation in regard to "profit" has analogies with that in regard to interest. Interest may be, as some Catholic writers affirm, "an iniquitous contract," and the best theological opinion is that it is unjustifiable on *intrinsic* grounds, though one is at present justified on *extrinsic* grounds in receiving interest.

There is no *intrinsic* reason why anyone who has produced $100 worth of goods should receive in addition to cost—which include adequate compensation for his labor and for the contribution of his land or his capital—10% more as "profit": and that is "profit" in its simplest terms. Many persons may think that it makes little difference whether justification for "profit" be intrinsic or extrinsic, just as many think that it is unimportant whether interest is justified on intrinsic or extrinsic grounds. But on the other hand for the sake of accuracy it may be a good thing to understand clearly just what "profit" is; to recognize that when some receive a "profit" there must be a loss by others corresponding to the "profit;" and to see that if everyone actually sold his production for a "profit" there would be a proportionate decrease per unit in the purchasing power of the medium of exchange rendering the "profit" illusory; and finally that the justification of "profit", like the justification of interest, is on extrinsic grounds.

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A BISHOP COMES TO CALIFORNIA.

THIS year California observes a date of deep historical and spiritual significance: the centennial of the Hierarchy's establishment in the State. The first bishop for the Californias (Upper and Lower) was consecrated in Mexico in 1840.

During the Missionary period—from 1769—the Padre Presidente of the Franciscan Missionaries depended, as to inter-order relations, on his superiors at the College of San Fernando in Mexico with which all the early Padres were connected; his Ordinary was the Bishop of Guadalajara. In 1779—under Pius VI—a new diocese was formed in Northern Mexico embracing the States of Sonora and Sinaloa and both the Californias. Its first Bishop, Antonio De Los Reys, O.F.M., was consecrated in 1782; Sonora was his see, the Archbishop of Mexico his metropolitan.

Father Junipero Serra, O.F.M., as Presidente of the Franciscan Missionaries had quasi-episcopal authority as far as administraton was concerned; he had received from Rome the faculty of administering the Sacrament of Confirmation, for ten years. After his death in 1775, Father Lajuen was made Vicar Forain and Vicar for the troops by the Bishop of Sonora; the faculty for Confirmation did not reach him from Rome, through the Bishop, until 1790. Neither the Bishop of Guadalajara nor the Bishop of Sonora was ever able to visit the Californias.

According to the laws of Spain and the intention of the Franciscans themselves, the missionary system was not supposed to be permanent; as soon as possible the Mission churches were to be erected into parishes with " secular " clergy in charge; the " regulars " would have moved to new territory or, if remaining in charge, they would have assumed the status of parish priests. With the establishment of canonical parishes the formation of a new diocese in the Californias would have been a natural consequence.

However, the Spanish government made no move toward the secularization of the Missions and the Padres; though visualizing that possibility, it realized that it had to come very slowly and gradually, mainly for the sake of the Indians. Unfortunately, the California Indians were, biologically, very low grade: they lacked physical stamina, they possessed neither the intelligence, nor the industry, nor the steadiness of character needed to guar-

antee their survival on a civilized level if removed from the guardianship of the Missionaries. " The Indians were well-nigh hopeless material," observes a fair-minded author, " out of which to make civilized Christians; " much less, we may add, to make any sort of responsible parishioners. The human material the Padres had to work with was only less resistant than the structural material (sun-dried mud bricks) out of which they reared the Mission walls.

Under the Spanish Crown the Mission system might have lasted longer, but in 1823 Mexico became an independent Republic and libertarian winds began to blow in every direction. Jose Maria Echeandia, first Governor to be sent to the Californias (1825), under the new regime, began to lay the groundwork for general secularization by " freeing " the Indians in Lower California. Only four Missions existed there and they were of small importance. The Indians were indeed provided with land and tools but unfortunately nobody could provide them with the qualities necessary for successful farming, or with the ability to fight the rapacious Administrators, or Comisionados, of the former Mission property. In theory, the Missionaries, now changed into resident pastors, were also provided with ample means; in practice they were left destitute.

The Padres in Alta California felt themselves threatened with a similar fate and as early as 1830 began negotiating with the Mexican government for an orderly and somewhat workable secularization. A plan was proposed by Father Narcisco Durán of Santa Barbara who in 1831 was appointed " Presidente " and Vicar Forain by the Bishop of Sonora. Father Durán was a first-class man, very wise and statesmanlike, much beloved in Santa Barbara and respected throughout California. The general political trend had influenced Father Durán but there was also another reason: the Missionaries in Alta California had come, up to that time, from the ancient College of San Fernando in Mexico. Most of them were old; some of them (as natives of Spain) were not so much in favor with the current Mexican government and wished to retire; their college was on the verge of collapse, having dwindled to two or three priests, and could not supply new personnel.

This last difficulty was obviated by entrusting the Missions in Alta California to the Franciscans (all native Mexicans) of

the flourishing College of Guadalupe de Zacatecas. Father Francisco Garcia Diego y Moreno, future Bishop of the Californias, led ten of his men to supplement or replace the San Fernandinos; he had the title of Comisario-prefecto. They embarked 17 July, 1832, at San Glas on the " Catalina," together with the newly appointed Governor Jose de Figueroa and his retinue. San Blas is the Pacific port closest to Mexico city and the Eastern terminal of the overland route, established by the Conquistadores, which ended at Vera Cruz. It had been since Father Serra's time the point of embarkation for the Californias; at the present time it had lost out to Mazatlan, somewhat to the north, which has railroad connexions.

The " Catalina's " journey was troubled; the soldiers aboard revolted and the ship had to put back to San Blas; the Franciscans and the Governor's party did not reach their goal, Monterey, until 15 January, 1833. Father Diego made Mission Santa Clara his residence; he and Father Durán, Presidente of the Fernandinos, found themselves in complete accord and coöperated cordially. Father Durán states, writing to Governor Figueroa: " In our Reverend Father Comisario-Prefecto I have found a wise man, a true religious and a friend." Some historians are inclined to belittle the Zacatecan friars in comparison with the old San Fernandinos; Bancroft declares that as a class the Zacatecans were by no means the equals of their predecessors. It may be conceded that the newcomers had not the " drive " of the old missionaries; on the other hand they were facing different and more difficult conditions and from a strict conventual life they had been suddenly thrown into a political, administrative and religious turmoil.

The Zacatecans had hardly learnt their way about when a bombshell exploded in their midst: the decree of secularization of the Missions in Alta California passed by the Mexican Congress, 17 August, 1833.

The scheme was carried out during the next few years under the Governors Figueroa (who died in 1835), Mariano Chico (resigned in 1836) and Juan Bautista Alvarado who held office till 1842. It is not necessary to believe that the Mexican Congress was animated by a spirit of religious persecution or even by mere anticlericalism in decreeing the secularization. The idea was in line with the libertarian spirit then prevalent in Mexican

politics. The paternalism of the Missionaries was not consonant with the noble resolve to make the Indians free citizens. The realities of the situation were overlooked or brushed aside: freedom, for the Indians, meant above all no-work and that brought about starvation, exploitation and finally race extinction. All the possibly well-meant provisions for the subsistence of the Indians and the maintenance of parishes and clergy, very carefully laid out in the secularization decree, became a dead letter.

The ruin of the Missions and of the Indians is not to be charged so much to the central government as to the native Californians who gave little thought to the welfare of the Indians or of the Padres. The " prominent " citizens grasped merely the idea that there were good pickings in " administering " or liquidating the wealth which the Mission system had accumulated in cultivated land and cattle. For that they have been immortalized in street names at San Francisco and Los Angeles.

The Padres found themselves in a sorry plight: their revenues from Mission property were cut off and the promised emoluments as parish priests was not forthcoming. They lived as grudgingly tolerated guests in some off-room of the Mission buildings which the Administrators had invaded with their families and their minions. There was also the question of internal ecclesiastical discipline since parish priests had a status different from that of the Missionaries. Besides, more priests were needed. Father Durán decided to send Father Diego to Mexico to lay the whole matter before the central government and to ask for redress. Father Diego sailed from Monterey in November, 1835, but did not reach Mexico until June of the following year.

The conservative element was then in the saddle and the supreme government listened sympathetically to Father Diego. He submitted several memorials outlining the deplorable situation in the Californias and the possible remedies, among which he considered most urgent the formation of a new diocese in that territory. With remarkable speed, the Mexican Congress, on 19 September, 1836, passed a law authorizing the establishment of a new diocese for the two Californias, the election of a bishop and various financial provisions. It was a quick start, but

things lagged afterward. Rome's approval had to be obtained and that could be confidently expected; meanwhile Mexico was thrown into great political confusion. In that very year of 1836 Texas had proclaimed its independence (remember the Alamo!); a similar movement started in California, though it came to nought; partial revolutions and international embroilments harassed the Republic; meanwhile in Upper California the looting of the Missions went merrily on.

It was not till June 1839, after favorable response from Rome, that the new bishop was chosen. The metropolitan chapter of the Mexico cathedral proposed three names to President Anastasio Bustamante and from the three he selected Father Francisco Garcia Diego y Moreno as the best candidate for the office. That the Mexican government could plan new ecclesiastical districts and name bishops was in virtue of the ancient " Jus Patronatus." It had been granted to the Spanish Crown in 1508 by Pope Julius II in recognition of the great services to the Church on the part of the Spanish kings. The Republic of Mexico claimed to have inherited these prerogatives from the Crown.

Approval of the President's choice was given in April 1840 by Pope Gregory XVI; the Bulls relative to it arrived early in September and on 4 October, 1840 the new Bishop was consecrated in the Cathedral of Mexico by Coadjutor Archbishop Campo. He had then just passed his fifty-fifth birthday.

Bishop Diego was very happy—and very optimistic; on 28 October, from the College of San Fernando, his temporary residence, he issued his first pastoral letter to the clergy and people of the Californias, mentioning rather large plans: the building of his cathedral and residence, a seminary and schools for boys and girls. Father Durán, at Santa Barbara, must have smiled as he read the pastoral. Still, while the Bishop must have known that things were moving from bad to worse in Upper California, he was going there with an authority that would command respect and he felt fortified by the apparent good will of the supreme government. He would carry orders for the Governor and other officials to coöperate with him; the sale of mission lands was to be stopped or in any case suitable property was to be restored to the Missions, now to become parishes. It was all very nicely arranged on paper. The Bishop was to receive so much a year, the curates of the first class so much, the curates

of the second class a little less; certain sums were apportioned for the maintenance of buildings and for cultural expenses. Nor did all this rest on mere promises: the resources of the old Pious Fund had been placed at the Bishop's disposal. A couple of incidental paragraphs must be given to this Pious Fund.

It had been established at the end of the seventeenth century through donations by various people in Spain and in Mexico especially to foster the evangelization of the Californias; most of it was invested in Mexican real estate. The early missionary expeditions had been financed through that Fund. With the advent of the Republic, Mexico had confiscated the revenues of the Fund, but now (1840) they were to be turned over to their original purposes. Bishop Diego appointed an administrator with power of attorney and while the Fund happened to be somewhat depleted (for the year 1841 no more than $6000 were available), it was estimated that in the future it would yield about $34,000 a year, half of that sum to go to the use of the Church in Upper California. The Bishop received the first $6000 before leaving Mexico, but in 1842 General Santa Anna, again President, through a military revolution, was in need of money, and he grabbed the Pious Fund revenues. In 1845 the Fund was given back—nominally: for the Bishop obtained nothing from it.

In 1870 the claims of the California hierarchy to the Pious Fund revenues were presented to the Mixed Claims Commission between the United States and Mexico and the Arbitrator decided that Mexico owed the Church in Upper California about $900,000. Mexico paid, asserting that such payment terminated its liabilities. The point was contested and the case was heard at The Hague in 1902. That tribunal decided in favor of the United States for all yearly payments then due and declared that Mexico was thereafter indebted to the United States in behalf of the California hierarchy, in perpetuity, for the yearly amount of $43,050.99. The sentence still stands—unheeded.

Bishop Diego relied on the Pious Fund. In order to supplement its revenues he was planning a system of tithes to be contributed by the California faithful. His only disappointment, at that early time, was that in spite of all his efforts he had been unable to recruit any new priests for his diocese, except two from

the Zacatecas College. However, one subdeacon and three seminarians were going with him; also four young artisans and two ladies, teachers-to-be in a prospective academy for young ladies. The Bishop's party left City of Mexico at the end of October 1840 and sailed from San Blas on 5 November on the English brig " Rosalind." It cost the Bishop $2000 for transportation to San Diego, where the " Rosalind " came to anchor, after an uneventful passage, the night of 10 December.

Anticipating the Bishop's coming, the little community of San Diego had taken on a festive air; in fact the Alcalde had ordered, since early in September, that the streets be kept clear of cattle. The same night of the Bishop's arrival one of the friars went ashore to notify officially the presidio commander; the firing of the presidio's two cannon announced the glad tidings to the populace. Next morning, 11 December, 1940, the whole town—all of its one hundred and fifty souls—was at the shore to greet the Bishop upon his landing. Amidst general acclaim, and escorted by the soldiers and borne in a sedan chair, he was led to the home of Juan Bandini, there being no other suitable accommodations. The " Casa de Bandini " was a large one-story residence built about 1825. Later, in 1846, Commodore Robert F. Stockton made his headquarters there. It is still a landmark in San Diego, a second story having been added to it in 1860. Amidst the popular rejoicing, administrative formalities were not neglected and the Bishop was duly presented with a bill for $523.50 on account of tonnage dues or harbor duties. The $6000 he had started out with were dwindling fast.

Bishop Diego began immediately his episcopal functions. On 18 December he administered Confirmation to 125 persons; next day he gave Tonsure and Minor Orders to the students in his party. However, it became immediately evident to him that San Diego was hardly the place for an episcopal see with its insignificant white population and its lack of resources. The four Missions within the jurisdiction of the presidio of San Diego, namely San Diego itself, San Gabriel, San Juan Capistrano and San Luis Rey, had been " administered " into general decay and no more than a couple of thousand " freed " Indians lived in the territory. Altogether a hopeless prospect: almost a cen-

tury had to pass before San Diego would grow into a real city and eventually into an episcopal see.

For that matter, prospects were far from alluring throughout California; in the territory of the present State the white population or " gente de razon " numbered 6900 (Bancroft's reckoning) "Mexicanized" foreigners, plus 350 other foreigners. Ex-mission Indians are estimated at four or five thousand, many of them relapsed. As to wild Indians, various figures are given; there might have been no more than 10,000 of them although on this point no guess is possible or, rather, the historians' guesses are far apart. The " gente de razon " were practically all Catholics—even the Protestant foreigners, if they wished to settle down and marry Californian senoritas, usually very devout, had to join the Church. The population was centered in twenty-one secularized Missions, six towns or " pueblos " and four presidios. The pueblos were miserable enough, with the exception of Monterey, principal port of entry, and Santa Barbara. Wealth was mainly agricultural, but grain and other foodstuff barely sufficed for local needs so that exports consisted of furs, hides (known by the traders as California bank-notes) and tallow. Very little money circulated; in fact very little of it was needed in a primitive economy of exchange.

The Missions, under the Padres, had been the main centers of wealth-production (such as it was). Their secularization had entailed a growing economic crisis involving the whole people. As to the Missions themselves we may quote from a report by Father Gonzales Rubio, Presidente of the Zacatecan friars (afterward secretary to Bishop Diego), to his superior Father Soria at the Zacatecas College. The report is dated 3 November, 1840. " On the state of the Missions I have nothing encouraging to announce. All is destruction, all is misery, humiliation and despair. Only six years have sufficed not only to annihilate the Missions but also to destroy in us every hope of restoring these establishments reared at the cost of so much toil and sacrifice. . . . Some Missions, like Soledad, San Carlos, San Juan Bautista, Santa Cruz, San Francisco, San Rafael and San Solano are almost as though they had ceased to exist; Santa Clara is already tottering and my own San Jose is only half alive . . . "

Father Rubio was not exaggerating; in fact another dark stroke must be added to his sad picture. There were only seventeen Franciscans left in Upper California and no secular priest. The San Fernandinos were quite old, some of them on the brink of the grave, all discouraged.

The task confronting Bishop Diego as he pondered on the situation at San Diego would have loomed appalling to any man. Fortunately a ray of light broke through the clouds as an eager appeal came to him from Santa Barbara asking him to establish his residence there. Santa Barbara was the best little town in California with well-built and picturesque dwellings, housing a population of 900 "gente de razon," including a score or so of naturalized Americanos. The Mission, though secularized, had not been stripped so bare and it exerted considerable influence on the people and on government officials, owing specially to the presence of that remarkable person, Father Narciso Durán, who though now sixty-five years old and somewhat invalided was still an authority in the land.

The Bishop was happy to accept the invitation; free transportation was offered to him and his retinue on a ship belonging to the Aguirre family and on 11 January 1842 he reached Santa Barbara. Alfred Robinson in his *Life in California,* published in New York, 1846, has left us a detailed account of the enthusiastic welcome given to Bishop Diego. Triumphal arches had been built, carriages were provided, troops paraded; even a brass band was on hand, composed of thirty Indians trained by the versatile Father Durán. Full of religious fervor, all kneeled at the passage of the Bishop, all endeavored to kiss his ring. He took temporary quarters at the Mission, naturally feeling much encouraged. Meanwhile the townspeople were starting a movement to keep him there permanently; on 15 April a petition to that effect was presented to him, signed by 123 prominent citizens. He was quite willing to comply with their desires. In fact a few days afterward he was writing to Governor Alvarado praising highly the people of Santa Barbara. "They place at my services," he says, "all available resources to assist me in erecting the public structures I desire to undertake. . ." (cathedral, residence, seminary). He goes on to explain at length why Santa Barbara would be the ideal place for his episcopal see; he feels confident that the Holy See

would approve such change and also that the Governor would favor it. However, since the proposed buildings would not be ready soon, the Bishop pleads: "I am compelled to ask Your Excellency for the favor of issuing the necessary orders so that I may not be molested while I am a guest at this house (the Mission)..." Father Durán was most cordial, of course, but the lay administrators who had overrun the best part of the Mission buildings were not such pleasant hosts, it appears.

The Barbarenos themselves were showing plenty of zeal. A site having been selected for the cathedral and the Bishop's palace, men and women started carrying stones, the Bishop himself at times lending a hand. Great piles of stones were gathered, but they were destined to be only the burial mounds of the Bishop's hopes.

While waiting for the solution of the building problem, the Bishop did not lose sight of the financial problem. Perhaps he was somewhat too hasty in attacking it and he surely was too sanguine in hoping to solve it in the manner he planned. Three weeks after arriving in Santa Barbara he issued his first pastoral from California soil outlining his building program and directing that a system of tithes be established with the parish priests as collectors. This letter is quite sound in doctrine and bases the principle of tithes on the declarations of Councils and Church Fathers; in practice the system did not work. It was something altogether new in California and, besides, at the time everybody thought that the Bishop was well supplied from the Pious Fund. Some protesting voices were heard even in Santa Barbara, though not from Catholic sources. A John C. Jones, merchant, one of the signers of the petition to the Bishop, writes to Thomas O. Larkin, American Consul at Monterey, on 16 April 1842: "I am disgusted . . . his holiness will stay here and build his college—the tenths will be paid by these good people with but few exceptions, in preference, they unhesitatingly say, to all other demands. I am not certain that that will satisfy the rapacious appetite of these blood-sucking emissaries of the Pope; they are all of the horse-leech family whose cry is continually: Give! Give!" A good example of early K.K.K. literature. As a matter of fact the most endemic cry all over California was that of the poor Indians; "Padre,

dame! " (Father, gimme). But by this time the Fathers had nothing left to give.

Opposition to the tithes came also from many of the prominent native Californians, Catholics in name only. Their champion and spokesman was " General " Mariano Vallejo, Commandante del Norte or Commander of the Northern forces (North of San Francisco Bay)—which forces consisted of less than a hundred poorly equipped men. Vallejo was a peculiarly misplaced Voltairian anticlerical who loudly proclaimed his Catholicism. Even before the Bishop had arrived in California he had indicated his attitude. In December 1840 he was writing to a friend somewhat to this effect: " The coming of a bishop is going to cause some headaches . . . but he had better watch his step . . . the age of theocratic domination is past." The " General " had done his part in eliminating theocracy, having made untenable for the Padres the Missions of San Rafael and San Francisco Solano in the territory he controlled.

In January of 1843 Bishop Diego, hoping to render more efficient the collection of tithes, divided Upper California into three districts with a lay collector in each, on a small percentage basis. The difficulties did not disappear; they were due in part to the reluctance of the people, in part to inherent drawbacks, as cattle on the hoof was the usual form of payment. Before such cattle could be got together in marketable quantity they had eaten their heads off. The lay collectors gave up in disgust.

Meanwhile Bishop Diego continued his episcopal work. On Holy Thursday of 1842, 24 March, he blessed the Holy Oils at the Santa Barbara Mission—the first time in California. On 19 June he conferred Minor Orders on several students who had continued their studies under his direction; on 26 June he created one subdeacon, one deacon and one priest. The latter, Miguel Gomez, was therefore the first priest ordained in California, being later assigned to San Luis Obispo. Another ordination was held in 1843 by Bishop Diego at Santa Barbara; then, after the Santa Ines Seminary had been established, ordinations were held there in 1845 and early in 1846.

Grave news reached the Bishop late in 1842: Santa Anna had again seized the government as acting president and one of his first official acts was the confiscation of the Pious Fund. However, some comfort came to the Bishop with the appoint-

ment of Manuel Micheltorena, an upstanding Catholic gentleman, as Governor, replacing Alvarado, who had resigned. Micheltorena held office from December 1842 to February 1845. The Bishop appealed to him and the new Governor by a decree of 26 March 1843 ordered the restitution to the Missions of whatever remnants of their property might still be extant; unfortunately very little was left. Oppressed by the financial problem, Bishop Diego addressed a lengthy and piteous memorial to the supreme government (late in 1843) and obtained relief —again, only on paper. He was assigned, in a grandiloquent decree of 30 January 1844 which concludes with the usual formula "God and Liberty—the sum of $6000 a year from the customs revenues of the port of Guaymas on the California gulf." The decree fell on deaf ears or perhaps on empty coffers.

In a pastoral of January 1843 Bishop Diego notified clergy and people that he had placed the diocese under the patronage of Our Lady of Refuge, with Saint Francis of Assisi and Saint Francis de Sales as secondary patrons. The priests were directed to hold special services in honor of the Patroness of the diocese. Several reports are extant describing the elaborate celebrations in many of the Mission churches amid popular rejoicing on the occasion. One could always count on the Californians for a "fiesta" even if they were lukewarm toward the tithes.

Wherever the Bishop went he was received in triumph; in March and April of 1843 he made his visitation, and administered Confirmation, south of Santa Barbara, at San Gabriel, San Bonaventura, San Fernando, Los Angeles. At this last place Governor Micheltorena was present and the functions were carried out with special éclat.

In 1844 one of the Bishop's dreams took practical shape and a seminary was established at Santa Ines Mission, about 45 miles north of Santa Barbara. An appeal to the Governor had resulted in a grant of land, for the use of the seminary, covering 35,499 acres. The Governor sent also a large personal contribution in cash. The land was immediately put to some use, as it is stated in the decision given by the American Land Commission which in 1855 confirmed that grant to the California hierarchy. That document states: "It is proved that under the care and supervision of the Bishop the lands were occupied, stocked and cultivated immediately after the grants were ob-

tained and that he and his successors have continued the possession ever since."

In the same year the Bishop resumed his visitations, this time going north. At Monterey he was distressed at the condition in which he found Carmel Mission and the San Carlos presidio church; but the people were enthusiastic and all the houses were illuminated for three days. However, an untoward incident happened: it seems that some unknown party discharged a pistol in the general direction of the Bishop. But it might have been some drunken cowboy celebrating with pistol-noise; not an uncommon habit even in California. One of the first ordinances passed after the Americans took over forbade shooting of firearms in inhabited districts. From Monterey the Bishop proceeded to visit the Missions as far as San Francisco, this last one on 16 July 1844. He did not cross the Bay; later he explained that failure to Governor Pico: "San Rafael or Solano could not offer hospitality because there are no priests there. No, there there would be a missile to pierce me. . ." Probably a hint referring to the Monterey incident; anyway "General" Vallejo was not in the mood to welcome a bishop. Coming back through Santa Clara, the Bishop visited San Luis Obispo and was then back in Santa Barbara.

Governor Micheltorena, disgusted at the political opposition against him, resigned his post and left for Mexico. A more or less legal assembly of Californians appointed Pio Pico as provisional Governor. That happened in February 1845. Pico hastened to countermand Micheltorena's decree in favor of the Missions and stripped them of all remaining assets, thus giving them their deathblow. This year was filled with bitterness for Bishop Diego. Pico was contemptuous, while the supreme Government in Mexico answered the Bishop's desperate appeals with kind words and promises which it was unable to keep.

The feeling of discouragement worked on the Bishop's physical frame, never very strong. He secluded himself in his small quarters at the Santa Barbara Mission waiting for the end. On 19 April 1846 he appointed Father Narciso Durán and Father Gonzales Rubio jointly as vicars-general of the diocese. He died with exemplary piety on 30 April, aged sixty-one years and seven months. His funeral took place with great pomp on 3 May, his remains being buried in a tomb on the Epistle

side of the main altar of the Mission. A large panel of some architectural pretension indicates the place.

Bishop Francisco Garcia Diego y Moreno was a very humble and pious man, unworldly, unselfish and well versed in the ecclesiastical disciplines, but he was not the strong character that the stormy times would have required. Father Engelhardt, the famous Franciscan historian of the Missions, admits this much: "Under the prevailing circumstances a Bishop needed greater energy, fearlessness and diplomacy than Bishop Diego possessed." But, as the same author also observes, you cannot always get a Saint Paul or a Saint Charles Borromeo. It is questionable, at that, whether a man of aggressive personality might not have encountered even stronger opposition and accomplished less. If Bishop Diego passes through history as the pathetic figure of a man who failed, it is due perhaps more to the overwhelming circumstances which stifled his initiative than to his lack of driving power.

He was unlucky to the last, for had he lived a few months longer, he would have seen the whole picture change about him. Hardly two months after his death the American flag was raised at Monterey (17 July, 1846): the "Yankees" had come. The newcomers had plenty of faults of their own but at least they established in California a government which respected its own laws and kept its word; it safeguarded the material assets of the Church by enforcing trust estates for their original purpose.

On the other hand, however, there is a certain historical fitness, sad if you will, in the death of Bishop Diego at that particular time: like the captain of a doomed ship he went down with it. The particular current of Catholicism which Bishop Diego represented was inevitably to die. There is a clear cleavage between the older regime and the American regime. Members of the California hierarchy after Bishop Diego are in a numeral sense his successors, yet Joseph Sadoc Alemany, the second Bishop appointed, directly by the Pope, to the diocese (now restricted to Upper California), is rather the first of the American hierarchical line, even though he was of Spanish descent. In a doctrinal sense, of course, Catholicism is always the same, but with the sudden and vast influx of Americans into California—even before the fifties (Marshall discovered gold in January 1848)—Catholic life developed here in a new setting

and with new and peculiarly American forms. Bishop Alemany's flock was an American flock. The older California culture—whatever its worth—passed at once into the vague state of romance.

In fact the influence of that earlier—or Mission—period has been practically negligible in the development of organized Catholicism as we have it at present in California; its American phase started from scratch. Much as we admire the old Padres, and much as we acknowledge the good they did in their time, their work died with them. Whatever remains of that epoch—picturesque in retrospect—survives mainly as a theme for literature, an architectural motif or as an artificial tourist attraction.

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Studies and Conferences

Questions, the discussion of which is for the information of the general reader of the Department of Studies and Conferences, are answered in the order in which they reach us. The Editor cannot engage to reply to inquiries by private letter.

SHRINES OF PERPETUAL ADORATION.

It may not be uninteresting to the clergy to learn of recent attempts to popularize perpetual adoration of the Blessed Sacrament in two parishes of the Northwest under the direction of diocesan priests. What is being done in these parishes—the one bordering on the "Bad Lands" in North Dakota, the other comprising most of the business district of the largest city in Minnesota—may be an inspiration, an encouragement and even a challenge to pastors of parishes in other localities who feel the urge to focus attention more directly on this most fruitful devotion of the Church.

There are, it is true, shrines of perpetual adoration in many parts of the United States where, hour after hour, day and night, year in and year out, devout worshippers keep silent vigil before the Blessed Sacrament enthroned on the altar in a setting of mellow lights and fragrant flowers. Most of these shrines are in charge of communities of priests or sisters, instituted for that purpose, whose members, under assignment of their superiors, "watch one hour" before the Eucharistic King on His throne of exposition. The schedule of visits mapped out by those in authority is maintained with unwearying regularity by the religious themselves, whether or not the laity are permitted to participate. It is comparatively easy to have perpetual adoration among religious officially dedicated to that work. It is likewise possible in communities not so dedicated wherever the specific duties of their members permit, and where there is a sufficient number of consecrated souls eager to join the unceasing chorus of cherubim and seraphim chanting the praises of the thrice-holy Tenant of the tabernacle.

In a parish staffed by diocesan clergy or by a small number of religious it is impossible to establish perpetual adoration unless definite and dependable assurance of hearty and continu-

ous coöperation be given by the parishioners as individuals or members of parish societies, for in every case the liturgical prescription must be complied with that some one be present in the church all the time. Other matters, likewise, must be taken into consideration, such as, the cost of candles, light and heat, night watchers, janitor service, et cetera—all of which render perpetual adoration difficult, if not impossible, in many parishes and deter not a few of the clergy charged with the care of souls from even attempting it.

Despite these obstacles, however, the parishes referred to above—parishes that typify almost the extreme of population and resources—have inaugurated this devotion during the past year and the innovation has proved so attractive, because of its spiritual appeal to the faithful, that it would be a distinct loss to them to discontinue it.

In October, 1939, the Rev. Theodore Roessler of Belfield, N. D., in the diocese of Bismarck, began perpetual adoration in the Church of St. Bernard, of which he has been pastor for eighteen years, by summoning his people to keep watch day and night before the altar of the modest frame church that houses the Real Presence, and since then there has been no interruption of the hourly vigil maintained by his loyal flock. If ever a successful attempt was made to do what seemed humanly impossible he has accomplished it.

Belfield has a population of 869, of whom 343 are Catholics —278 of them over fourteen years old. An additional 272 adult members of the congregation live in the surrounding country within a radius of ten miles; and yet this small group of Catholics has maintained perpetual adoration of the Sacramental Lord for nearly a year. A number of the parishioners—business and professional men, farmers, housewives and others —spend an hour every day or night in the church and not infrequently a longer period awaiting the arrival of their successors. Three families travel ten miles to keep their vigil between four and five A. M. The zealous pastor sets the example by taking his turn between one and two o'clock in the afternoon and from five to six in the morning. He gives Holy Communion to all who are present when he arrives and before he leaves, and during Mass distributes from seventy to a hundred communions every day.

For years he has stressed the spiritual value of frequent Communion and the response has been noteworthy, notwithstanding that half the congregation live in the country and have to reckon with the treachery of gumbo roads and the high cost of gasoline. The records show that he distributed 6,310 communions in 1936; 13,544 in 1937; 15,706 in 1938; and 24,005 in 1939. This year the number will not be less than 30,000—a truly remarkable record for a parish of 550 souls on the parched prairie of western North Dakota.

During his pastorate Father Roessler has never left the parish, even for a day, without providing a substitute. His greatest regret is that, while urging and encouraging the faithful to maintain perpetual adoration, he cannot afford to expose the Blessed Sacrament in the monstrance because the crop failures of the past decade of years have so depleted the church treasury that funds are not available to purchase the candles prescribed by the liturgy for public exposition. This naturally detracts from what may be called the spectacular side of the devotion, in which lighted candles, fragrant blossoms, fuming censer and liturgical chant play a not unimportant rôle by helping to rivet attention on the Sacred Host.

There are hundreds of parishes even in remote localities that could emulate the example of this devoted priest and his handful of Catholics who have reaped a rich harvest of spiritual and material blessings from this basic devotion of our holy faith. Holy communions have multiplied amazingly; many conversions can be traced to it; not a few fallen-away Catholics have returned to the fold; many marriages have been validated; neglected children have been baptized; family life renewed; and the fervor of devout Catholics intensified.

The knowledge of what has been done under such adverse circumstances, with few people and meager resources, inspired, nay rather, challenged the pastor of the Basilica of St. Mary in Minneapolis to institute perpetual daily exposition on the first of May of this year with the approbation and paternal blessing of the Most Reverend Archbishop of St. Paul. From 6 A. M. to 8:30 P. M. continuous vigil is kept, not by sodality or society—for there is none in the parish—but by members of the congregation who, of their own volition, have pledged a quarter of an hour's adoration each week and many of whom

make daily visits often for a longer period. So generous and spontaneous has been their response to the appeal for uninterrupted worship of the Sacramental Lord that more than seven hundred hours a week have been pledged, and it is most edifying to note the fidelity with which the watchers keep their self-imposed appointments and the devotion they manifest in the Divine Presence.

Seven hundred hours of adoration a week means that each hour of the day is multiplied sevenfold—the equivalent of thirty ordinary days and nearly fifty exposition days of fourteen and a half hours each. The average hourly attendance throughout the day, from morning Mass till evening Benediction, is unusually high even for a city parish.

The Basilica of St. Mary serves a territory of nine square miles and a Catholic population of six thousand souls, besides transients and visitors. It is the only down-town Catholic church in Minneapolis and is ideally located for such a devotion on the edge of the business district, two-thirds of which is within the parish limits. Tens of thousands of persons pass and repass the door every day on business or pleasure bent as they traverse Hennepin Avenue, the main arterial thoroughfare, on foot, in automobile and street car.

The number of adorers varies at different hours as is to be expected. Household duties and occupational activities press most heavily at certain periods of the day; but from earliest Mass till evening prayers the faithful may be seen kneeling in worshipful adoration before the Blessed Sacrament exposed on the high altar. Some advance even to the sanctuary rail as if to constrain, so to speak, the Lord of the Eucharist to hear their petitions and be generous with His gifts; others remain in modest retirement near the door as if unworthy to draw closer to His earthly throne of grace. Some prefer the early morning hours when Masses are being said, when they have companionship in watching, while others select a time when worshippers are few. Among them may be seen the children of the parish school who drop in for a visit during recess or on the way home, as well as pupils from more distant schools who are less familiar with the sacred place; men and women on their way to and from work; clerks from stores and offices during the noon hour; housewives in the afternoon; laborers in working clothes; busi-

ness and professional men; tourists and visitors on sightseeing trips. All are animated by the same purpose—to pay tribute to the Son of God beneath the eucharistic veils.

From an architectural and artistic standpoint there is no more worthy setting for such a devotion than the sanctuary of the Basilica of St. Mary. The main altar of white statuary marble on which the monstrance is enthroned is beautiful in its severe simplicity and chaste adornment. It rests on an elevated predella under a magnificent baldachin upheld by four monoliths of Breche opal marble, its apex rising to a height of forty-five feet above the sanctuary floor and forming a majestic pedestal for the nine-foot statue of Our Lady of Grace that crowns it. The concavity of the dome is decorated with sky-blue Venetian mosaic lightened by golden radiations from the central emblem, a dove with outstretched wings, symbolizing the Holy Ghost. The sanctuary is separated from the ambulatories by twelve monoliths of Swiss Cipolin marble supporting an entablature on which are anchored artistically-carved marble statues of the Apostles. The space between the columns is filled with hand-forged iron grilles. Beyond the sanctuary rail are sittings for 1,800 persons in pews and chairs, and standing-room for as many more when necessary.

Within the basilica with its towering grandeur, its massive dome, its vaulted nave—the widest in the world—there is an atmosphere of the supernatural, quiet and restful. The hurry and bustle of the encircling city with its myriad interests and throbbing life cease at the threshold. Inside peace and serenity reign. An unseen Presence broods over all and prayer is the voice of the soul.

Every evening several hundred faithful souls assemble for rosary, litany and Benediction. Congregational singing of the liturgical chant to organ accompaniment, followed by "Holy God, We Praise Thy Name," is an attractive feature of the devotion and contributes in no small degree to the success of the exposition which has aroused widespread interest throughout the city. People from the neighboring parishes in Minneapolis are present from time to time and St. Paul sends its quota. One Society, the Catholic Daughters of Isabella, has divided its membership into twelve groups, one of which is present on the second Monday of the month for a half-hour of adoration before the regular meeting of the Circle.

Who can estimate the spiritual value to parish and participants? Who can reckon the number of Masses, communions, rosaries, litanies and other prayers offered up for the threefold purpose of the exposition, namely, to honor the God-man in His sacramental life on the altar, to pray for the restoration and perpetuation of the Peace of Christ among individuals at odds with one another and groups and nations engaged in brutal warfare, as well as for the success of the National Eucharistic Congress to be held in St. Paul in June of next year.

One of the most enthusiastic advocates of perpetual adoration is the Rev. R. V. Long, pastor of the Church of the Transfiguration, Edgeley, North Dakota, and of half a dozen missions attached thereto—a territory so extensive that he became a licensed aviator some years ago in order to minister more effectively to the spiritual needs of his scattered flock.

For several months he had been familiarizing his parishioners with the idea of perpetual adoration and last July he was able to put his plan in operation. He can now count on five hundred hours of adoration per week; and day and night there is uninterrupted vigil before the Sacramental Lord enclosed in the tabernacle, for he cannot afford the cost of public exposition. Several of his parishioners, imitating his example, spend one or more hours a night in church and have already reaped material as well as spiritual benefits therefrom.

Many priests in Minnesota, North Dakota and Nebraska have heard the " good news " and are devising ways and means of introducing this basic devotion into their parishes. What some of their brethren have done under difficulties they feel they can do in more favorable circumstances. Who shall say that this is not destined to be the apostolate of the future for the sanctification of souls and the return of that era of universal peace visioned by Micheas, the prophet, when " nation shall not take sword against nation: neither shall they learn war any more "?

Behind these efforts of the past year to promote perpetual adoration in parish churches is the interesting story of a layman who is a warfarer for Christ because he is firmly convinced that God has called him to " preach perpetual adoration of the Blessed Sacrament for the sanctification of the Church and the regeneration of the world ". For fifteen years he has tramped

the length and breadth of the United States trying to interest priests and others in his mission. He is a man of habitual prayer and austere life but withal cheerful and friendly. Like the Man of Galilee he has " no place whereon to lay his head ". He has no home; he practises apostolic poverty; he depends on alms; he spends long hours in church, sometimes all night, in adoration. When he comes to a city he visits every church in it before hitting the trail again. He takes no account of the morrow. He fasts on Wednesdays, Fridays and Saturdays until three o'clock in the afternoon. He is often hungry. He eats whenever a friendly hand offers him food or whenever God provides it, as He does at times, in a mysterious way. He has composed and published a booklet of prayers for his favorite devotion.

His name is—Michael Crowe. He was born in Syracuse, N. Y., sixty years ago. At one time he was a prosperous business man in New York and with his wife spent the winters in Florida or Southern California. Long before the depression struck the country his business melted away in some inexplicable manner and his wife died, leaving him alone and penniless. Then he awoke to a realization that God was trying to teach him a lesson by opening his eyes to the vanity of the world, the emptiness of riches, the value of poverty. Like another Saul at the gate of Damascus he asked, " Lord, what wilt thou have me to do? " and, like St. Paul, he became a " vessel of election " to bring adorers to the foot of deserted tabernacles by prayer and example. He makes St. Louis his headquarters, but he is a knight of the road, without scrip or purse. Occasionally he is offered a lift by a charitable motorist who, he maintains, is always the man to whom God wants him to talk about religion and the things of the soul. One cannot listen to him without being convinced of his sincerity.

Michael Crowe is directly responsible for the inauguration or perpetual adoration in St. Bernard's Church of Belfield, and indirectly for the institution of daily exposition in the Basilica of St. Mary in Minneapolis.

But we have " kept the good wine until now," and it is a privilege to offer it as a stimulant to all who have a relish for the things of God.

As we write there comes to our desk an official letter of the Most Reverend John G. Murray, Archbishop of St. Paul, ad-

dressed to the clergy of the diocese, from which we cannot forbear to quote because it is so germane to the subject of this sketchy article.

In this communication His Excellency refers to his letter of 5 July 1938, concerning the custody and worship of the Blessed Sacrament in parishes and religious communities, in which he prescribed the erection of the Confraternity of the Blessed Sacrament in every parish and a daily visit of the faithful to the veiled Presence in the tabernacle. Since then a community of Sisters has had daily exposition from morning Mass to evening Office, and one parish recently obtained permission for a similar privilege.

"The program of adoration found so feasible and fruitful in these instances," writes the Most Reverend Archbishop, "justifies the conclusion, to which I have looked forward for several years, that I may now ask the coöperation of our clergy and people in making perpetual adoration the distinctive objective of my administration in the Archdiocese of St. Paul."

This is a decision of vital importance and far-reaching consequence in these perilous times. It commits him to the promotion and fostering of perpetual adoration within the territory under his jurisdiction as the primary objective of his episcopate in days to come.

In furtherance of this program he suggests a fifteen minute visit, at least once a week, for the faithful in the smaller parishes; a daily and, wherever possible, nightly exposition in the more populous ones; a rotation of the devotion in communities where there are several churches, unless each one is able to undertake it without outside assistance; and a combining of the parishes in a deanery to establish a convenient centre of exposition for all.

The clergy everywhere will watch with interest the development of this newest phase of the age-old cult of the Blessed Sacrament in a diocese presided over by a prelate beloved by priests and people. It is an experiment it is true, but one that merits success, because it has no other object than the glorification of the Eucharistic Christ and the sanctification of souls redeemed by His Precious Blood.

JAMES M. REARDON.

Minneapolis, Minnesota.

The front and the reverse side of a neat card for the signed pledges of the "Adorers of the Blessed Sacrament" follow:

DAILY EXPOSITION OF THE BLESSED SACRAMENT

6 A. M. to 8 P. M.

BASILICA OF ST. MARY OF MINNEAPOLIS

I wish to be a member of the "Adorers of the Blessed Sacrament."

I promise to spend at least fifteen minutes a week before the Sacred Host exposed on the altar.

On the other side of this card I indicate the day and hour that suit me best.

NAME .....

ADDRESS .....

TELEPHONE .....

N.B. Please sign and hand to usher or mail to 88 North 17th St. Thank you.

PLEASE CHECK THE DAY OF THE WEEK AND THE HOUR OF THE DAY

	A. M.	P. M.	P. M.
Sunday ☐	6:00- 7:00 ☐	12:00-12:15 ☐	4:00-4:15 ☐
	7:00- 8:00 ☐	12:15-12:30 ☐	4:15-4:30 ☐
Monday ☐	8:00- 9:00 ☐	12:30-12:45 ☐	4:30-4:45 ☐
	9:00- 9:15 ☐	12:45- 1:00 ☐	4:45-5:00 ☐
Tuesday ☐	9:15- 9:30 ☐	1:00- 1:15 ☐	5:00-5:15 ☐
	9:30- 9:45 ☐	1:15- 1:30 ☐	5:15-5:30 ☐
Wednesday ☐	9:45-10:00 ☐	1:30- 1:45 ☐	5:30-5:45 ☐
	10:00-10:15 ☐	1:45- 2:00 ☐	5:45-6:00 ☐
Thursday ☐	10:15-10:30 ☐	2:00- 2:15 ☐	6:00-6:15 ☐
	10:30-10:45 ☐	2:15- 2:30 ☐	6:15-6:30 ☐
Friday ☐	10:45-11:00 ☐	2:30- 2:45 ☐	6:30-6:45 ☐
	11:00-11:15 ☐	2:45- 3:00 ☐	6:45-7:00 ☐
Saturday ☐	11:15-11:30 ☐	3:00- 3:15 ☐	7:00-7:15 ☐
	11:30-11:45 ☐	3:15- 3:30 ☐	7:15-7:30 ☐
	11:45-12:00 ☐	3:30- 3:45 ☐	7:30-7:45 ☐
		3:45- 4:00 ☐	7:45-8:00 ☐

N.B. If you wish to spend more than 15 minutes in adoration, please check accordingly. Please sign on other side and hand to usher or mail to 88 North 17th St. Thank you.

PSALM SIXTY-SEVEN.

Some priests were discussing the difficulties met with in the recitation of the Divine Office because of the obscurities found in some of the psalms. Psalm 67 in the second nocturn of the Thursday Office was declared to be especially obscure and partly not understandable. The discussion led the writer of this communication to consult *Die Heilige Schrift des Alten und des Neuen Bundes* by Paul Riessler and Rupert Storr and *Der Davidpsalter des Roemischen Breviers* by A. Rembold, S.J. The result is the following translation. It is the writer's determination not to enter upon any discussion whatsoever, since he merely desires to comply with the express wish of one of his clerical brethren to find Psalm 67 a little more understandable.

TRIUMPHAL HYMN TO GOD KING OF SION

When God arises, His enemies disperse, and those who hate Him flee from Him.

As smoke vanishes before the storm, as wax melts in the fire, so disappear before God's face the wicked.

But the just rejoice and exult before God. They shout for joy and for delight.

Sing ye to God, extol His name in psalms. Build ye a road for Him who drives along through the desert. Jahwe is His name; cry out with joy before Him.

" The Father of orphans, the defender of widows " is God. Before Him in His holy place make merry.

God brings back the lonely to their homes when He sets free those in captivity. Only rebels stay back in arid land.

Lord, when Thou didst go forth before Thy people, when through the desert Thou didst pass, the earth trembled. The very heavens dripped before God there at Sinai, before God, the Gof of Israel.

Again let rain pour down, O God, to refresh the parched land of Thy heirs.

And let Thy people that dwell therein be taken care of by Thy goodness, O God, in proper time.

The Lord thundered again, He bombarded the army of the tribes of men.

The kings of the nations fled in headless flight, so that even weaklings distributed the spoils.

Upon dunghills they sank down, hidden by filth, covered with shame and their countless horsemen were swallowed up by swamps.

When the Almighty dispersed the kings, they fell like a shower upon Salmon.

Upon this high mountain, the mountain of Basan. A mountain of many peaks is the mountain of Basan.

Ye mountains of many peaks, why are ye jealous? Just one mountain God has willed to be His throne; Yea, this He inhabits forever.

Of the chariots of God there are thousands and thousands. With them there is the Lord; as once upon Sinai, so now in the holy place.

Upward Thou didst ascend and take captives along and Thou didst accept as presents men that had been unwilling to believe in God, the Lord.

Blessed be the Lord who provides for us daily, God our helper.

A God of salvation is God unto us. The Lord, the Lord finds a way out of death.

Yea, God has crushed the heads of His enemies, has crushed the hair-crested helmet of the man that walks perversely.

The Lord has declared: "I will fetch the shameless. I will fetch the knaves from afar, so that thy foot can bloodily crush in an instant those hated dogs that blasphemed."

Then one could see Thy solemn entry, O God, the entry of my God, my King, into the holy place.

At the head of the procession marched singers, in the rear cittern players and in the midst maidens beating drums.

The choir of Israel praised God and music lauded the Lord. Benjamin the youngest did beat time. The princes of Juda, Zabulon and Nephtali clapped in applause.

Command again, O God, Thy power from Thy temple, Thy power, O God, whereby Thou hast been active for us until now: so that the kings may offer Thee gifts for Jerusalem.

Threaten, please, the lancers, the horsemen that are so much dispersed among nations and descend into the silver mines. Scatter, please, the peoples that find joy in warring.

May noble men come from Egypt, may Ethiopians stretch forth their hands toward God.

Then sing, ye realms of the earth, the praise of God. Praise ye the Lord,

Who drives along through the heavens, the primeval heavens; His voice resounds, a mighty voice forsooth.

Give honor to God who lords it supremely in Israel. In the clouds His power is manifested with awe.

From time immemorial God is most high. Who is like Israel's God who grants power and strength to the people that is deserving of God's blessing?

JOSEPH H. WELS, S.J.

St. Francis Mission,
St. Francis, South Dakota.

EUCHARISTIC FAST BY STANDARD OR SUMMER TIME.

Qu. We should like to have your opinion and references on the following question.

Traveling from town to town in this section it is practically impossible to ascertain whether the locality uses Standard or Daylight time. Is it permissible for one to eat meat at 12:30, Daylight time, on Saturday morning and still keep the Eucharistic fast since it is not yet midnight, Standard time?

In this case there is but one privilege used since the other use of time will be an actuality and not a privilege. We argue not of the practicality nor of the plausibility of such a practice, but only of what can be done according to law.

Resp. Whenever there is question of the fulfilment of such private obligations as the observance of ecclesiastical fast and abstinence, or the observance of the eucharistic fast, the rule contained in canon 33, § 1, makes possible the use of various systems available in the computation of the hour of the day. First of all, and this by way of general rule, one may follow the computation adhered to by local usage in any given locality. Moreover, and this by way of special legal provision, one may follow either local time or legal time, even if the usually and generally followed computation in a locality differs from either of them.

True sun time, which is indicated by the sun dial, and mean sun time, which is indicated for any given meridian by the striking of an average of the variations inherent in true sun time so that there results a constant and invariable day of twenty-four hours uniformly throughout the year, are both classified as *local* time. Regional time, as measured for a complete zone or district, and extraordinary time, as set by authoritative ordinance for any given municipality or larger geographical section, are both to be included under the generic designation of *legal* time.

From the ruling of canon 33, § 1, it is evident that for the fulfilment of the obligation of fast and abstinence, e.g., during an Ember week, one may employ true sun time on Wednesday and mean sun time on Friday. Similarly, for the observance of the eucharistic fast one may employ mean sun time on Sunday but standard time on Thursday wherever this latter obtains by local usage, or wherever it obtains as legal time.

There arises the question whether within one and the same night which marks the break between the two successive days of Friday and Saturday one may so employ the various available systems of time computation that for the Friday obligation of abstinence the selected reckoning of time will bring that day to its earliest possible close while for the Saturday obligation (the eucharistic fast) the adopted reckoning of time will defer the start of that day to the latest possible point of time. Canon 33, § 1, offers no proof that one and the same physical action—for instance, that of eating a meat sandwich—may not in its direct relationship to the above-named specifically and numerically distinct obligations be considered as happening on two separate days, *if two different systems are employed for the computation of time relative to the temporal limits within which abstinence on Friday and the eucharistic fast on Saturday are of obligation.* For, if by eating meat on Saturday at 12.30 A. M. Daylight Saving Time the law of abstinence on Friday is in no way violated, it does not follow that the act of eating must necessarily be acknowledged as taking place on Saturday, since for this latter day the reckoning of time as permissibly accepted will place the act outside of Saturday. Again, the act thus placed outside of Saturday for the sake of complying with the law of the eucharistic fast does not have to be acknowledged as taking place on Friday in violation of the law of abstinence, since for this latter obligation there is used the permissible reckoning of a time that places the act outside Friday. The two obligations are each of a negative character. They are fulfilled by the very fact that within the optionally computed limits of the two days there is neither a violation of the law of abstinence nor any infraction of the law of the eucharistic fast.

The positive act of eating does not unavoidably have to be regarded as juridically falling within one necessary given day so that it must happen on Saturday if not on Friday, or on Friday if not on Saturday, for the moral aspects inherent in the act relate to two separable obligations, then the divergent temporal fixation of these moral values is naturally consequent to the varied temporal fixation of the very obligations themselves. Since the obligations attach to two separate days, which days may be computed in accordance with divergent computations

of time, it follows that the separable moral aspects of the same physical act in their distinct relationships to two separate obligations can be recognized from the viewpoint of their temporal existence as attaching to two separate days. If this is done the act of eating meat can take place in such a manner that it trespasses no more upon the law of the eucharistic fast for Saturday than upon that of abstinence for Friday, in as far as both obligations will stand free of all violations precisely because both have been observed throughout all the moments of their temporal duration. For a lengthier and a solidly juridical discussion of this point, the reader is referred to Vol. LXXXVII (1932) of THE ECCLESIASTICAL REVIEW (pp. 634-642).

The granted option of computing time according to any one of the five different reckonings mentioned in canon 33, § 1, hardly justifies the implied distinction of the query, namely that the following of one computation in relation to one obligation will correspond to actuality, while the following of a second and alternate computation in relation to another and separate obligation will involve the use of a privilege. The use of any of the five different possible computations is fully approved by law, and thus the use of any properly selected reckoning cannot be regarded as the use of a privilege which grants something in addition to what is allowed by law.

The point, however, that merits specific consideration is: May a person compute his time as Standard Time when Daylight Saving Time has been legally determined for the locality? Or, more generically, when one or the other of these two computations has been established for use by legal ordinance, may one still employ the alternate computation as a *legal* time?

The inquirer states that " it is practically impossible to ascertain whether the locality uses Standard Time or Daylight (Saving) Time ". It could of course be true that either of these two computations of time reflects nothing more than the common local usuage so that its alternate could still be regarded as legal time. If the common local usage, however, grows out of a legal ordinance that precludes the use of any other computation for general use, then how is one to imagine that the use of Daylight Saving Time or of Standard Time, if it run counter to local usage, is any longer available as a legal time?

Under such circumstances wherein one may not be able to ascertain which particular computation of time obtains as the common usage, one may, in his effort to come to a definite determination, be as right in accepting Daylight Saving Time as in selecting Standard Time. Once a person has determined this for himself, however, in the case wherein the local usage is recognized as set by law, then the use of the alternate computation can no longer be considered as the use of a legal time. Thus the conclusion appears inescapable that if one accepts Daylight Saving Time as that which corresponds to the legal ordinance for the locality, even though it can at the same time be considered as also reflecting the common or general usage, then Standard Time may not be used by an alternate computation, since its use alongside that of the common local usage is justified only when it can beyond effective denial be accepted as a legal time.

On the other hand, the use of true sun time or of mean sun time, both of which fall under the heading of local time, still remains available after one has determined that Daylight Saving Time (or Standard Time) reflects the legal as well as the common local usage. It so happens that in the submitted case the computation by mean sun time affords an equal, even a greater margin of possible postponement for marking the end of the day than would the computation by Standard Time, for the locality in question lies to the west of the 75th meridian, whose mean sun time marks the Standard Time of the Eastern Zone. For all that, however, it would be wrong in principle to allow the use of Standard Time *as such*. If the actual use of it does not in the present particular case militate against principle, that is true only because of the coincidence that it runs in accord with the use of mean sun time for the 75th meridian and for any more westerly meridian within the same standard zone, although in the latter circumstances the computation by Standard Time would leave the fuller possibilities unexploited. Any city which lies to the east of the central meridian of a given standard zone could surely not use Standard Time in the event that Daylight Saving Time is followed as the time that corresponds both to local usage and to legal ordinance.

The objection might be raised that if it be practicable, in view of the lack of any recognizably preponderant usage in favor either of Daylight Saving Time or of Standard Time, to accept *either* the one or the other, then *both* the one and the other may also be used *simultaneously* for the fulfilment of separate obligations. To this objection the reply seems fairly obvious. As soon as one has for his personal use definitely accepted either computation to the exclusion of the other as the one commonly or generally in use and simultaneously in accord with legal requirement, he cannot any longer with logical consistency regard Standard Time as equally legal with Daylight Saving Time, or the latter as concomitantly legalized with the former. Under the circumstances an initial option is indeed granted, but once this option is taken a person thenceforth commits himself to abide by it consistently in relation to any obligation to which the option has been applied.

MARRIAGE CASE OF JOHN SMITH AND MARY JONES.

Qu. John Smith, baptized Catholic and born of Catholic parents, lived as a Catholic in St. Francis Home, until five years old; then he was sent to a Protestant institution and for seven years lived as a Protestant; later he married Margaret Williams, a baptized Protestant, before a Protestant minister. Smith lived with Margaret for several years unhappily and divorced her, after Margaret ran off with another man.

Afterward Smith married Mary (a Protestant) before a minister.

Now Smith wishes to return to the Catholic Church in which he was baptized.

1. Is Smith's marriage to Margaret valid?
2. If invalid, what must be done by Smith to rectify his second marriage to Mary?

Resp. Canon 1099, § 1, 2° states that all who have received baptism within the Catholic Church are subject to the Church's requirement of the canonical form for the valid contracting of marriage with non-Catholics, whether these be baptized or not, even when a dispensation from the impediment of mixed religion or disparity of cult has been previously obtained. To this general rule an exception is admitted by § 2 of canon 1099, when it states that those who are born of non-Catholics, even though they were baptized within the Catholic

Church, are not subject to the Church's law on the canonical form for marriage, when they contract marriage with a non-Catholic, if they have grown up from infancy in heresy, schism, infidelity or without any religion.

When the Pontifical Commission for the Authentic Interpretation of the Church's law was asked whether persons *ab acatholicis nati* mentioned in canon 1099, § 2 include also those born of parents of whom only one is Catholic, even when the *cautiones* were given in accordance with canons 1061 and 1071, it replied *affirmative* on 20 July, 1929. When the same Commission was asked whether the words *ab acatholicis nati* include also those who are born of apostates, it again replied in the affirmative, on 17 February, 1930.

In the case, although Smith was not reared as a Catholic, he was born of Catholic parents and therefore does not come under the exemption from the canonical form of which canon 1099, § 2 makes mention. He is subject to the general rule stated in canon 1099, § 1. His marriage to Margaret therefore eventuated in an invalid marriage because of his failure to observe the required canonical form. The impediment of mixed religion, though no dispensation from it was obtained, could have no effect on the validity of the marriage, since the impediment was not diriment in character.

The later marriage of Smith to Mary was likewise invalid in view of the non-observance of the required form, and if Mary was not baptized, though she counted herself a Protestant, the marriage was invalid on the additional score of the presence of an impediment of diriment character.

The validation of the marriage of Smith to Mary calls for reëxpression of matrimonial consent in due canonical form upon a dispensation from the impediment of mixed religion or disparity of cult, depending upon the facts in the case. These are the prerequirements under the normal circumstances in which the exchange of a true matrimonial consent in the juridically required public form before priest and witnesses can be undertaken. If the case should offer peculiar difficulties, the extant consent, which of its nature and apart from the requirements of a specific form, would suffice for a valid marriage, may be validated by a *sanatio in radice*. By his quinquennial faculties in this country a bishop has the delegated

power to grant a *sanatio in radice* for marriages that have been attempted before a civil officer or a non-Catholic minister, in the case of their own subjects even outside their territory or other persons within it, when there was the impediment of mixed religion or of disparity of cult, provided that the matrimonial consent continues to exist in both parties, and that the same cannot be legitimately renewed, either because the non-Catholic party cannot be informed of the invalidity of the marriage without danger of grave damage or inconvenience to the Catholic party, or because the non-Catholic party cannot be induced to renew the consent before the Church or to give the promises as required by canon 1061, § 2. Exceptions are where (1) the non-Catholic party is opposed to the baptism or to the Catholic education of the children already born or that may be born; (2) the parties before the attempted marriage—whether private or public—bound themselves to the non-Catholic education of the children, provided of course that there be no other diriment impediment for which the ordinary has not the power to dispense or to grant a *sanatio.*

In these cases, however, the ordinary must seriously admonish the Catholic party of the grave crime committed, must impose salutary penances, and if need be absolve the party from the excommunication incurred under canon 2319, § 1, 1°. He must also announce that as a result of the *sanatio* the marriage has been rendered valid, lawful and indissoluble by the law of God, and that the children who may have been born, or may in future be born, are legitimate. Moreover, the party must be solemnly reminded of his (or her) constant obligation to take care to the best of his ability of the baptism and Catholic education of all the children, and to work prudently for the conversion of the other party to the Catholic faith.

Since there must be proof in the external forum of the validity of the marriage and the legitimation of the children, the ordinary will give orders that in each case the written document in which the *sanatio* was granted together with the attestation of its execution be carefully preserved in the local curia. He will also see to it, unless in his prudent discretion he should judge otherwise, that the notice of the validation of the marriage, with the notation of the day and year, be entered in the baptismal record of the parish wherein the Catholic party was baptized.

In the case, therefore, Smith's reinstatement in the Church with the privilege of active membership presupposes either that he quit the invalid marriage in which he has lived up to the time of his reconciliation with the Church, or that he have the marriage rectified by means of entering it in due canonical form, or by means of obtaining for it a *sanatio in radice*, if the circumstances call for and justify its use and application.

CORPSE NOT TO BE BROUGHT TO CHURCH WHEN FUNERAL MASS IS NOT ALLOWED

Qu. On a day when the funeral Mass is forbidden, may the body be brought to the church in the morning, the Mass of the day chanted and the absolution given after the Mass?

Resp. Although the statement was made in the May, 1939, issue of this REVIEW that it seems fair to hold that the absolution and the *Missa in die obitus* are separable and that the Absolution can be given in the morning after the Mass of the day has been said for a deceased person, decree 3570 of the Sacred Congregation of Rites clearly forbids such a ceremony. It is officially stated that the funeral should be postponed until the following day; or, if this is impossible, the body is not to be brought to the church until the afternoon, Vespers of the feast having been completed. Absolution may then be given, but the church bells should not be rung. Wuest-Mullaney, in *Matters Liturgical*, p. 502, draw attention to this decree and procedure.

AMERICAN FLAG IN CHURCH.

Qu. I am placing the Papal and American flags in the sanctuary of my church. Which one goes on the Gospel side?

Resp. A similar question was answered in the September, 1938, issue of the THE ECCLESIASTICAL REVIEW (p. 287). As stated there, the liturgy makes no provision for these flags in divine worship and their presence in a sanctuary is, at best, extra-liturgical. The Sacred Congregation of Rites, 14 July, 1887, decreed that it is not permitted to admit a flag into a church unless it is of a religious nature and has been given the blessing found in the Roman Ritual (No. 3679). On 3 March,

1911, the Apostolic Delegate informed the Bishops of this country, in reply to the question, "Whether in the United States the so-called 'National Flag' may be permitted in the church during religious ceremonies and on the occasion of funerals," that Cardinal Rampolla had answered that there was no objection, provided there is no disrespect for the sacred liturgy. It seems from this reply that the American flag may be used on certain occasions, as at the burial of a soldier, or in connexion with a patriotic celebration, but permanent use of flags in the sanctuary is not in liturgical good form. The Gospel side of the altar is considered as the side of greater dignity. If a pastor insists that flags be placed in the sanctuary, it would be better for him to decide the relative rank of the flags in question. In St. Patrick's Cathedral of New York a large American flag is suspended on the Epistle side in the nave of the edifice.

AGAIN THE "MISSA PRIVATA".

Qu. In your October issue of last year you discuss the meaning of "missa privata". In the latter part of your answer, you defined it as a read mass and one said not by obligation as the "missa pro populo",—but one said for devotion's sake or for a stipend. Would this apply during the Lenten season when the ordo gives two masses, one ferial, the other private? In other words, unless one sings the Mass, should one say the "missa privata" rather than "de feria"? And this even when one is the sole priest in the parish?

Resp. In answering this question, it seems necessary to mention that the query comes from a priest outside the United States. The terminology or directions used in his ordo are evidently different from those found in the ordos most commonly used in the dioceses in this country. In the 1940 Pustet ordo one finds mention of two Masses during Lent on those days when the office is of a feast. The first is the Mass of the feast and the second (called *private*) is that of the feria. In the ordo for the Universal Church printed in Rome, the order is reversed. First place is given to the Mass de feria and the second place to the Mass of the feast, except when a first-class feast occurs. In such cases, there is one Mass only listed and it is that of the feast. Since all read votive Masses are forbidden during Lent, it is evident that we must consider only Masses

de feria and *de festo.* Perhaps the ordo used by the priest who submits the question gives first place to the Missa de feria and second place to the missa de festo, which it may term private. In any case, if he reads a Mass for a stipend on such a day, he may use either the mass *de feria* or *de festo.*

MISSION INTENTION FOR SEPTEMBER.

"For Social Works".

In this country where social works, even social security, take headline space in the nation's program, it is to be hoped that there will be sympathetic and prayerful interest in the intention recommended by the Holy See for the month of September. Social service, the handmaid of God's charity, had deteriorated into a pharisaical nothingness when Christianity made its appearance in the world. Then, with the advent of the Angel of the Annunciation, we find the first example of the new order as the maiden Mary of Nazareth hurried to her cousin Elizabeth in the hour of her trial.

However it remained for the emergence of Christ the Worker into Christ the Teacher before the first complete course in social service was offered to the world. Jesus of Nazareth was a member of the human society of His day. With the omnipotent intelligence of the Godhead He saw the needs of His fellow creatures, and, with the all-embracing charity of the Redeemer, He proved the necessity for the daily application of the spiritual and corporal works of mercy. The sick were made well, the lepers were cleansed, the blind saw, the multitudes were fed, the dead were restored to life, the children were gathered within His loving embrace, and all men within sound of His voice were taught the saving doctrines of Christianity. None was omitted; rich and poor became the beneficiaries, not only of His society, but of His social works.

The principles of Jesus Christ were taught and practised by His followers through successive generations. Charity in every form became a real, a living thing, reaching a peak under the gentle ministrations of St. Vincent de Paul. Then came the dark day when heresy reared its ugly head and the apostate Luther trod underfoot not only obedience to the Vicar of Christ but to the principles of Christian brotherhood and service which had been the earmarks of Catholicity since its foundation.

It remained for the zealous Catholic layman, Anthony Frederick Ozanam, to scale the high wall of Protestant indifference to social service and lay the foundation for the establishment of the St. Vincent de Paul Society. Simultaneously with him appears another figure, Pauline Jaricot, whose name, revered because of her efforts in founding The Society for the Propagation of the Faith, has none the less a right to a special place in the field of social service and justice.

Today, as in the time of the Reformation, the world is entering upon a new era of her existence. Totalitarianism will endeavor to reach the long arm of the state into the homes and the private lives of its citizens. But, as in that period four long centuries ago, the Church, founded by the great Teacher and Social Worker, must prove the fortress to resist the onslaughts against charity. Hospitals must be maintained where souls, as well as bodies, will be cured. Orphanages must be enlarged where children, recognized as the handiwork of God rather than the puppets of the state, will be trained to become useful members of society and heirs of heaven. Homes must be visited, not by secret police, but by social workers who will direct families along the path to better health and more contented living. The missions of the Catholic Church must be aided in their social endeavors, for already they have made phenomenal progress—a progress which is threatened seriously if the European conflict extends much further. Like the nations of that unfortunate continent the Catholic Church must not be found unprepared for what is coming and she gives evidence of her preparedness by her appeal to her children for their prayers " for social works ".

THOMAS J. MCDONNELL,
National Director,
The Society for the Propagation of the Faith.

MEMBERSHIP IN THE CHAPLAINS' AID ASSOCIATION.

To the Editor, THE ECCLESIASTICAL REVIEW.

We are quite sure that there are many Catholics who would take an active interest in Catholic Action, if they knew of some organization to which a little would meant a lot.

A lot to the Chaplains' Aid Association would mean an increased membership at one dollar a year. A number of dollars means thousands of prayer books, rosaries, medals, and other religious articles for the Catholic boys in the Service. A number of dollars means complete altar equipment for the Army or Navy chaplain to say Mass for the boys wherever they may be. A number of dollars means altar breads for the Catholic boys' monthly, and very often weekly, reception of their Lord and Saviour Jesus Christ in Holy Communion—at an Army Post or aboard a battleship, or at a CCC camp.

This is the work the Chaplains' Aid Association is striving, yes and struggling, to do for the Catholic chaplains and men. We chafe at the activities of many irreligious groups but, very often, we do nothing to combat them. A membership of one dollar a year will be a Catholic combatant against these groups. It will be a tremendous help in safeguarding the faith of our boys away from home.

And it will give a Catholic the satisfaction of being an active Catholic Actionist.

THE CHAPLAINS' AID ASSOCIATION.

401 West 59th Street,
New York City.

MARRIAGE OF COUPLE OF DIFFERENT RITES.

Qu. According to canon 98, § 4 of the Code of Canon Law, the wife who belongs to a rite different from that of her husband may, at the time of the marriage or any time during the marriage, join the rite of her husband and when the marriage is dissolved, she is free to return to her own rite, *unless a particular law rules otherwise.*

Likewise, according to canon 1097, § 2, marriages of Catholics of mixed rites are to be celebrated in presence of the pastor of the groom, *unless a particular law rules otherwise.*

I have heard that there is such a law affecting Ruthenians contracting marriage with Latins in this country, by virtue of which a Ruthenian wife who has embraced the Latin rite of her husband may not, upon the dissolution of this marriage, revert to the Byzantine rite and that, moreover, according to the prescriptions of this law marriages between Latins and Ruthenians in this country must be contracted in the presence of the pastor of the bride; and if any dispensations are required, they are to be sought from the Ordinary of the bride, regardless of the rite.

May I ask if my information regarding this special law for Ruthenians is correct and, if so, when it was enacted.

Resp. From the decree *Nemini licere,* issued by the Sacred Congregation for the Oriental Church, 6 December 1928, it is evident that the Church has traditionally safeguarded her membership in the continuance of its proper and native rite. That the transfer to another rite, as also the return to one's original rite after such transfer, has in more recent centuries rested with the necessary permission and authorization of the Holy See may be gleaned from a number of papal documents. General reference might be made to the Constitution *Etsi pastoralis,* 26 May 1742; to the Constitution *Praeclaris,* 18 March 1746; to the Encyclical *Allatae sunt,* 26 July 1755; to the Encyclical *Inter gravissimas,* 3 February 1832; to the Apostolic Letter *Orientalium dignitas,* 30 November 1894, and to the Constitution *Tradita ab antiquis,* 14 September 1912. The fundamental ruling of the Church's current law on the matters discussed in these documents is now contained in canon 98 of the Code.

Canon 98 § 4 grants a woman full option on the occasion of her marriage to adopt the rite of her husband, and extends to her the further right and authorization to revert to her original rite upon the demise of her husband, unless contrary provision be made in her case by particular law. Such particular provision exists in reference to the Italo-Greeks in virtue of Pope Benedict XIV's Constitution *Etsi pastoralis.* However, whatever particular ruling may have obtained in the past on this score with reference to the Greek-Ruthenians is no longer in force. On 1 March 1929, the Sacred Congregation for the Oriental Church issued a decree for the Greek-Ruthenian Catholics in the United States. In this decree, articles 38-40 are pertinent to the present consideration, as well as to the questions of the proper canonical form of marriage and the dispensations that may be needed for the proper contracting of the marriage.

> Article 38. Marriages between Catholics of the Greek-Ruthenian and of the Latin rite are not forbidden; but to prevent the inconveniences that usually rise in families from the diversity of rites, it is provided that the wife may at the time of the mar-

riage or during its continuance pass over to the husband's rite. But after the marriage is dissolved she is free to return to her own original rite.

Article 39. Marriages, both those between Greek-Ruthenians and between the faithful of different rites, must be contracted with the observance of the form prescribed by the decree *Ne temere*; and hence they are to be blessed in the rite of the woman, by the woman's pastor.

Article 40. Matrimonial dispensations in marriages of mixed rite must, when they are needed, be asked of and granted by the bishop of the prospective bride.

It might be added that on 24 May 1930, a decree of like tenor and application was issued for the Greek-Ruthenian Catholics of Canada. The corresponding provisions are contained in Articles 44-46 of this decree. (Cf. *Canon Law Digest I*, Bouscaren. Bruce, Milwaukee. 15-16 and 38.)

FACULTY TO HEAR CONFESSIONS IN A DIOCESE.

Qu. Father A has faculties to hear the confessions of sisters in a number of convents in a diocese, and is appointed extraordinary confessor of those convents. He does not, however, have the ordinary faculties to hear confessions in the diocese. While he is hearing confessions in one of the convents for which he has an appointment, sisters from other convents come in, also some lay people. On consultation, Father B says, "Of course you have the diocesan faculties. The fact that you are an officially appointed confessor for this convent gives you the faculties of the diocese. You do not expect that the bishop intends you to ask each penitent whether or not she is a member of the community." What is to be said on this matter?

Resp. It is quite possible to conceive Father A's case as one in which he has not the ordinary faculties to hear confessions in the diocese, despite the fact that he is the extraordinary confessor for the sisters of a number of convents in the diocese. A diocesan ordinary may have his own reasons of discipline and prudence to warrant the granting of confessional jurisdiction in this limited though somewhat unusual manner. The question at issue, then, is rather one of fact than one of law.

One may readily agree with Father B that the bishop does not intend that the confessor should have to ask questions in order

to determine the penitent's status as a sister or as a member of the community. In place of asking such questions, however, the confessor can definitely declare his limited faculties so that the local superioress will not only not encourage outside sisters to feel entitled to go to confession with the sisters of the community, but will also make sure that lay persons will not approach the confessional. Perhaps it would be feasible for the confessor to hear the sisters' confessions in their own convent instead of in the chapel where other people feel invited to come when they see a confessor on hand.

"TOTIES QUOTIES" INDULGENCE ON ALL SOULS' DAY.

Qu. A monastery has a public oratory attached. It has also a semi-public chapel in which the Blessed Sacrament is reserved. Across the street is a seminary with its own semi-public chapel. Can the members of the religious community gain the plenary indulgence on 2 November by visiting the semi-public chapel of their monastery? By visiting the semi-public chapel in the seminary? Can the students gain the indulgence by visiting the semi-public chapel in the seminary?

Resp. From canons 1188, § 2, 2° and 929, it appears that, without a separate indult providing for the specifically desired effect, the members of the religious community cannot gain the plenary indulgence on 2 November by visiting the semi-public chapel of their monastery or the seminary, unless one were to assume that the grant of the indulgence abstracted from and disregarded the general rule of law.

At first sight it might seem that the seminarians could use their own chapel for the purpose of gaining the *toties quoties* indulgence, seeing that they have no church or public oratory to which to go, if it be assumed that they cannot leave the seminary grounds without special dispensation from the seminary rule. The practical solution for such a situation would consist in extending the necessary permission to enable the seminarians to visit the public oratory. The fact that the seminarians participate in all the more solemn services on Sundays, feast days and special occasions seems a sufficient guaranty that the seminarians do not lack the available public oratory in which to make their visits for the gaining of the indulgence.

INDULGENCES GRANTED "UNDER THE USUAL CONDITIONS".

Qu. Can it be proved definitely that, when in a grant of an indulgence it is stated simply "under the usual conditions," these conditions are confession, Communion, and prayer for the Pope's intentions, and not a visit to a church.

Resp. The works ordinarily prescribed for the gaining of a plenary indulgence are: (1) confession; (2) Holy Communion; (3) prayers recited according to the mind of the Holy Father; (4) the visiting of a church or of a public oratory. When partial indulgences are granted "under the usual conditions," the demands are satisfied with the first three of the above enumerated requirements. This doctrine is taught so universally by the authors that it cannot reasonally be called into question.

INDULGENCE ON 2 NOVEMBER IN SEMI-PUBLIC ORATORY.

Qu. What is the meaning of the phrase *pro legitime utentibus* in regard to the gaining of the indulgence for visiting a church on All Souls Day?

Resp. The meaning of the phrase may be gleaned from canon 1188, § 2, 2°, in which an authoritative definition of a semi-public oratory is given. Such an oratory is one which is for the convenience of a given community or for a group of the faithful who habitually assemble there for services. It is not for the use of any and all outside visitors.

In a more specific manner canon 929 states: The faithful of either sex who in striving after perfection or who in the quest of training, of education, or of the recovery of health, live a common life in institutions which have been established with the ordinaries' consent, but which lack a church or a public chapel, as also all persons who in the service of these institutions reside there, are authorized and empowered to visit the institution's chapel, in which they can rightfully satisfy their obligation of hearing Mass, whenever for the gaining of indulgences there is prescribed the visiting of some non-specified church or of some indeterminate public oratory, provided that they duly perform all the other works enjoined upon them.

Thus it is made evident that anyone who effectively wishes by visiting a semi-public chapel to gain the *toties quoties* plenary indulgence proper to and connected with 2 November must definitely fall under one or the other of the various classifications defined by canons 929 and 1188, § 2, 2°.

BAPTISMAL RECORD IS OFFICIAL.

Qu. A person declares that he is positive that he learned from Paul's father, although he has no written evidence, that Paul is an adopted son. A letter of inquiry has now revealed that the baptismal record states that Paul was baptized a week after birth, and the only names given are those of his supposed acknowledged parents. Is this testimony conclusive or must further inquiries be made before Paul is admitted to a religious congregation?

Resp. It is difficult to suppose that a man would, contrary to fact, acknowledge his fatherhood of a child at the ceremony of baptism within so short a time after the child's birth when the telling of the truth would prove so much easier than his fabrication of a lie. In view of this any third person's testimony which runs counter to the annotated facts contained in the official record of the child's baptism may be safely disregarded until such time as it effectively undermines the legal presumption of trustworthiness and correctness that so naturally attaches to a baptismal record. No additional search seems indicated in the present case.

Book Reviews

THE CANON LAW ON SERMON PREACHING. By James McVann, J.C.D. The Paulist Press, New York. 1940. Pp. vii + 190.

In a time when the importance of propaganda is recognized as never before, the necessary place of the Gospel in the world should be recognized by adherents to the Christian way of life. If commerce institutes its vast machinery of advertising, dominating oracles of deceit, the significance of the preaching apostolate to the ecclesiastical legislator could hardly be excessively esteemed. If a distinctive fault could be found with the volume under consideration, it is that this significance is not sufficiently emphasized. One can easily contrast the rather routine treatment accorded preaching in this work with the enthusiasm that would fairly burst from every sentence of a treatise on political propaganda or even on the virtues of advertising.

One can hardly question the fact that the canons dealing with the preaching apostolate teem with undertones of stimulating zeal. They manifest intrinsically that they are not mere restraints upon individual initiative but rather incentives to realize to the full the gift of tongues. There seems to be no appreciation of this fact in the work at hand. In this respect it even undersells itself. Under another aspect, too, it has not fully distilled the virtue available in the documents to which it had access. The documents are quoted, and a rather imposing array of them. Even obscure canals have been tapped, but the distilling process has been evaded. A sense of confusion of mass remains in the mind when one has finished his survey of the material. Often authors are cited in their variant views, with no adequate criticism of them even when they disagree with the author's view, and sometimes this view is not sufficently apparent. An example of this unsatisfying obscurity occurs at the point where the obligation of canons to assist at sermons is discussed. The question concerns the obligation of collegiate chapters to attend sermons in their churches when the latter are not cathedral churches. The dissertation says: " 'If it be held in their own church'. This phrase causes canonists some difficulty. It is clear enough as applying to canons of the cathedral. But what of those whose church is collegiate? The first paragraph of the canon [1346] mentions only cathedral and parish churches. On this point à Coronata and Augustine say that the law applies also to collegiate chapters, as it did formerly. Vermeersch-Creusen allow the tenability of this view without making it their own, and Cocchi acquiesces with evident reluctance." But what does the dissertation itself believe? There is no word of this; and no discussion of the opinions cited.

On the other hand, conclusions are frequently advanced with an almost reckless unconcern for premises; that is, no preparation is made for their presentation. They are thrown out and abandoned to the mercy of the critic. For instance, in dealing with those who persistently teach doctrines that have been condemned though not declared heretical, the work describes those who are exempt. It states: "Can. 2317 says, 'Those who persistently teach'. Such punishment is not for slips of the tongue, words spoken in ignorance, but for statements stubbornly insisted on. Persistence requires that the culprit know that the doctrine is condemned, and generally he is warned, though not necessarily, by means of a juridical admonition." It is the latter section of this conjunctive sentence that is cruelly abandoned with a mere reference to Wernz-Vidal, where probably a further discussion of the reasons for the conclusion may be found.

A familiar style is attempted by the author but it detracts from the dignity of expression which frequently asserts itself and almost always shows its superiority. A similar inconsistency, or perhaps it is parallel, is evident in an uncritical juxtaposition of pastoral theology and canon law. It is usually in the pastoral sections that the colloquialism occurs.

These censures have been imposed on a work that is capable, nevertheless, of surviving them. In many respects it is unique: in two especially, first, that it is a convenient and practical handbook on the preaching apostolate; and second, that almost every page exalts the dignity of that apostolate by insisting upon its noble place in the legislation of the Church. Once he has consulted this work, every canonist will be ready to give a more important place in his researches to the function of the Gospel; and every preacher will undertake his task with greater appreciation of the nobility of the task he assumes.

THE MOTHER OF JESUS. By Henri Morice. Translated by Clara Meigs Sands. P. J. Kenedy & Sons, New York. Pp. 250.

Father Morice makes an excellent contribution to the ever-increasing number of books on Our Lady. No better example of an imitator of Christ could be cited than His Own Blessed Mother. The author reveals the beauties and admirable qualities of Mary's life by setting forth very strikingly at the same time these same characteristics in the life of her Divine Son. In order to do this he has us follow Mary in the events of Christ's years upon earth. From the Annunciation scene to the last that we read of Mary in the Scriptures, Father Morice pictures for us not only her actions but also what may have been her very thoughts.

The thirty-one chapters, very suitably arranged for October and May devotions, will have an appeal to priests, seminarians, religious and many devout laymen who are on the lookout for books that are really helpful in their spiritual progress. Chapters twenty-nine and thirty, while they speak of Mary's role in the history of France and could have been easily omitted in the translation, can nevertheless be read with profit.

The book is written in a pleasant style, and the usual stiffness of translations has been well overcome. The book can be used for meditations as well as spiritual reading with real profit, for it is more than just another book.

YOUR CATHOLIC LANGUAGE. LATIN WITH THE MISSAL. By Mary Perkins. Sheed and Ward, New York City. 1940. Pp. 222.

In the early period of American Catholic history John Carroll, Father of the American Hierarchy wrote: " . . . for I do conceive that one of the most popular predjudices against us is that our public prayers are unintelligible to our hearers."

The authoress is at once practical and spiritually minded in her plan to teach Catholics how to master Latin by instructing them how to read their missals. The early Christians spoke to God in their own language. For too many the Mass of today is merely an occasion for the recitation of several rosaries or litanies. The Latin language is one of the major obstacles to the spread of the liturgical spirit among non-Latin peoples; it impedes our " being at home " during the Mass.

Our democratic ideal today, as stated in this book, is that every one can and should be educated—that is, should be equipped with the tools to educate himself. Every Catholic who shares this ideal owes himself a knowlegde of ecclesiastical Latin. Latin is not a difficult language. It can be learned with reasonable application, studied from the missal itself, acquired from a grammar in which the student is dealing with prayers that he has known all his Catholic life.

In *Your Catholic Language* Mary Perkins presents a grammar that is as effective as it is unique. The prayers are given with an interlinear translation. The vocabulary is to be acquired by familiarizing oneself with the context of prayers together with the essential aid of English derivatives. The customary forbidding tables of declensions and conjugations are relegated to the appendix. The rules of syntax and grammar are not boring but rather an easy application in legal form of what has been going on for a long time. As a real test the student can wrestle with the various propers of the Mass and hymns contained in the book in order to solidify what should have been learned.

The book will be welcomed by both religious and laity: to the religious it will be a tool for study and prayer and for the layman it will open a heretofore closed avenue of active participation in the liturgy of the Mass.

KATHARINE TEKAKWITHA. Fordham University Press, New York. 1940. Pp. viii + 468. Illustrated. Price, $7.50.

This is the *positio* of the historical section of the Sacred Congregation of Rites on the introduction of the cause for the beatification and canonization of the Servant of God, Katharine Tekakwitha. For the first time the Congregation has permitted the publication for general circulation of the findings of its Historical Section. Other books have quoted excerpts, but only after the canonization or beatification.

Twenty of the twenty-one documents submitted to the Section appear in this volume. The scholars and experts of the Section took six years to check the documents as genuine and authentic. The difficulty of the task can be imagined when it is considered that many of them go back to the seventeenth century. Included are a fragment of a letter of Father James de Lamberville (1677), extracts from letters of Father Chauchetiére (1682-1694), a brief life of Katharine written about 1682, extracts from the "Narrative of the Mission of the Sault" (1686), the Life of Katharine written by Father Chauchetiére (1685, 1695), and a Life by Father Cholence (1696). The documents are all translated into modern English.

The publishers have done their part exceedingly well with this unusual book. It is a quarto volume, printed in large type on special deckle-edge paper. The end papers picture a map of the territory of the Five Nations showing the birthplace and home of Katharine. It is appropriately illustrated with full-page woodcuts and a copper graved frontispiece. The border under the running-heads is from a Mohawk wampum belt in which a zig-zag line represents the erring ways of the Indians before the missionaries came, and with crosses showing the straight path to God. The postulator of Katharine's cause is the Rev. John J. Wynne, S.J., of New York, whom we congratulate heartily.

CHRIST: VICTIM AND VICTOR. By Fr. Kilian J. Hennrich, O.F.M.Cap. Paterson, N. J., St. Anthony Guild Press. 1940. Pp. 212.

The author intends this volume to be a series of "meditations on the mysteries of the life of Christ covering the seasons of Advent and Easter, Pentecost week and some high feasts". The book is neatly printed and is very handy in format, and might be carried in one's

pocket with ease. Each meditation is short. A quotation from Scripture is placed at the beginning and then the application is made to the individual. The author advises a double reading of each meditation and then reflexion without the book. Not a few quotations from the Fathers are supplied, and excerpts from the Bible are embodied frequently in the meditation itself.

Many of these meditations are splendid. The weakness of the work would seem to be twofold. First, the author too often substitutes his own thoughts for the literal and implied thoughts suggested by the scriptural text. The book would have been much more valuable if he had done less moralizing and given more of the background of the text. Referring to the warning given to the Wise Men to return by another way to their country, he begins thus: " This admonition is also directed to you " (p. 25). The reader is unconsciously directed to himself and his conscience more than to Christ, and hence it is the author rather than Christ who does the influencing. Secondly, in his great desire to show that " weeping and lamenting is the lot of man " (p. 68), he is not satisfied with driving home that point in the Passion but must continue it in Eastertide (p. 61), and with the Ascension. Consolation he mentions, but the general impression given is that Christ was always dominantly the Man of Sorrows. This is not historical truth. Christ possessed always the Beatific Vision.

Book Notes

Curiosity about the meaning of the word "Commandery," and the vagueness of those who should have known the meaning of the word, started Miss Elizabeth W. Schermerhorn on her studies of the Knights Hospitallers. *On The Trail of The Eight-Pointed Cross* tells part of her fascinating discoveries. The first part of the book is taken up with the Knights as soldiers and with their famed service to the wounded, the sick and the pilgrim. A chapter on the special privileges received from the Popes, and the conflicts these engendered with the bishops is included. The second part of the volume deals with the history of the Order in Provence, Languedoc, Auvergne and Normandy, in Spain, Portugal and Italy. There is also a chapter on the fate of the Hospitallers in Protestant countries.

Miss Schermerhorn has done some good research work. It is not complete, but then it was not meant to be. She has, however, provided an excellent picture of the Order and its work through nearly eight centuries. Her material is presented well and her approach is sympathetic. Only here and there are expressions to which a Catholic might take exception. A good index and a rather extensive bibliography add to the value of the volume, as do fifteen plates showing churches and castles of the Hospitallers. (G. P. Putnam's Sons, New York. Pp. xvi + 421.)

The Jesuit in Focus, by James J. Daly, S.J., is an excellent *apologia*. The book is written apparently without a design, but the introduction and the twenty-six chapters give the general reader an excellent idea of how the Society appears and what it means to a member of fifty years' standing. Among the contents are the Jesuit Constitutions, the Retreat, Ignatian Spirituality, the Novice, the Lay Brother, the Suppression, the Embittered Ex-Jesuit, Eminence in the Society, and Individuality and Rules. It is a book that should do much good. (The Bruce Publishing Co., Milwaukee. Pp. x + 212.)

Whence Come Wars, by Monsignor Fulton Sheen, takes its title from the first of the six radio talks now offered in this little volume. A Universal Norm of Morality, Unity of Mankind, Civil Authority and Divine Law, The Papacy and Peace, and Peace and Moral Authority are the other subjects. The theme is—"Man revolting against God is the miniature of the war of man revolting against his fellowman.". Those who may object to the use of the word miniature will find the matter thoroughly and satisfactorily set forth in the pages that follow. The style is conditioned for the spoken word, but those who admire Monsignor Sheen's material will find that it reads well. (New York, Sheed and Ward. Pp. 119.)

Good and useful pamphlets continue to come from the press, and the attention of priest readers is called to the listing of them in each of our issues under "Books Received". Subjects treated in pamphlets present a wide and varied range. Many of the pamphlets offer timely suggestions for sermons and instructions; others are excellent to give to prospective converts, and still others are for the general reader and should be on the parish pamphlet rack.

The pamphlets before us at the moment give an indication of this variety. La Bonne Presse, 5 Rue Bayard, Paris have Pierre Montmajour's *Après le sabbat, dès l'aube* and *Royaume de Dieu*. It will be a real tragedy if the German occupation means the end of the fine work of this Press. — The N. C. W. C. (Washington, D. C.) have Vol. III of *The Parent-Educator*, entitled "Teaching Obedience in the Home". This is a pamphlet that pastors might well "push" from the pulpit.—The Catholic Truth Society of London is represented by Father Francis Woodlock's *Is England Becoming Pagan?*—The correspondence between President Roosevelt and the Pope and the Pope's broadcast of last Easter on *Foundations of Peace;* and the Rev. Sir John O'Connell's *The Holy Family*, an excellently written devotional pamphlet, come from the same source.—The Radio League of the Sacred Heart (St. Louis, Mo.) has a sketch by the Rev. E. P. Murphy on *Blessed Philippine Duchesne*, with an invitation to tune in on WEW—760.

The contributions by The America Press, The Paulist Press, The Catholic Truth Society of our own country, The Catholic University of America, The Queen's Work, and many others offer pamphlets which are a source of information and instruction that the parish priest cannot afford to pass by.

The Life and writings of a minor personality often give a better idea of his times than those of a more prominent personage. Dr. Joseph A. Hiller's dissertation *Albrecht Von Eyb* is an illustration of this. Von Eyb's lifetime (1420-1475) was in the period when humanism first took root in Germany, and a very interesting time it was. Dr. Hiller's study brings out many of the everyday customs of those days; the importance of the dowry, joviality at marriages, intemperance in eating and drinking, avarice. The purpose of the study, however, is to show the teachings of Eyb; and the matter is handled in a thoroughly scientific manner. It is not a book for the general reader, but the priest who knows German thoroughly will find it interesting. (The Catholic University Press, Washington, D. C. Pp. xvi + 220.)

Glimpses of Truth by Sister St. Michael Cowan is a series of short essays on various Catholic truths. The author's purpose is to present in concise form the Catholic truths that answer the false principles that are abroad today. There is nothing novel in content or presentation in Sister St. Michael's little book, but its handy format and terseness will be appreciated by not a few Catholic laywomen and religious. (Holy Ghost Convent, Waterbury, Conn. Pp. xii + 108. Price, $1.00.)

Volume XXI of Franciscan Studies is *Biographical Dictionary of the Franciscans in Spanish Florida and Cuba (1528-1841)*, by Maynard Geiger, O.F.M. It is worthy of inclusion in the excellent series of monographs by English-speaking Franciscan scholars. The title is self-explanatory. The followers of the Saint of Assisi have not received the credit in history that their deeds have deserved. As there are more than 700 friars listed in this *Dictionary*, one gets some idea of the vast work done by the Franciscans. In the Preface Father Habig points out that the *Jesuit Relations* give a complete "Catalogue of Jesuit Missionaries to New France and Louisiana, 1611-1800" and lists 320 names. The Franciscans (Recollects) thus far have compiled a list of 310 friars, not including natives of Canada, who served in French North America, and of these 250 were priests. The Studies are well worth while. (St. Anthony Guild Press, Paterson, N. J. Pp. xii + 140.)

In his study of *The Meaning of Marriage*, Dr. Herbert Doms emphasizes the importance of the community of life between man and woman, although he agrees that in marriage procreation is never a secondary thing. He takes issue with St. Thomas on a number of points, although the translator, George Sayer, eliminates a whole chapter in which Dr. Doms "analyzes the teaching of St. Thomas Aquinas regarding the 'ends' of marriage and contrasts it sharply with his own". The reason for the omission is that the matter is "highly complicated and technical" and "of little interest to the general reader".

Most Thomists will take issue with Dr. Doms, and those who hold to no particular school of theological thought will disagree with him in numerous instances. The book, however, is important and all who are interested in the subject—and that includes every priest—should read it. (Sheed & Ward, New York. Pp. xiii + 229.)

Father John J. Galvin, S.S., has written *The Infallibility of the Church in Anglo-Catholic Theology*, which priests interested in the Church of England will find interesting. His investigation is concerned chiefly with the writings of Anglo-Catholic theologians, but other Anglican writers have not been neglected. He divides the study on infallibility into three periods: the conservatives and latitudinarians of the Caroline divines, the members of the Oxford Movement and their opponents, and the Liberal Catholicism of the modern period. Father Galvin handles his material well, although the limiting of the study principally to Anglo-Catholic writings also limits the book's value for the non-historian. The book may be obtained from the author at St. Edward's Seminary, Kenmore, Washington. Price $2.00, bound in paper. (The Catholic University of Louvain, Louvain. Pp. xxii + 153.)

Books Received

SPIRITUALITY IN THE PRIESTHOOD. By the Most Reverend Wilhelm Stockums, D.D. Translated by the Reverend Joseph W. Grunder. B. Herder Book Company, Saint Louis, Missouri. 1940. Pp. iv—281. Price, $2.00.

KATHARINE TEKAKWITHA. The Positio of the Historical Section of the Sacred Congregation of Rites on the Introduction of the Cause for Beatification and Canonization and on the Virtues of the Servant of God Katharine Tekakwitha, the Lily of the Mohawks. Fordham University Press, New York City. 1940. Pp. viii—469. Price, $7.50.

JESUIT MISSIONS AMONG THE SIOUX. By the Reverend Louis J. Gall, S.J. Saint Francis Mission, Saint Francis, South Dakota. 1940. Pp. 70. Price, 25c.

RADIO REPLIES. Volume II. By the Reverend Doctor Leslie Rumble, M.S.C. and the Reverend Charles M. Carty. With a Preface by His Excellency, the Most Reverend John G. Murray, D.D. Radio Replies, Saint Paul, Minnesota. 1940. Pp. 358. Price, paper, 50c.; cloth, $1.50.

CHRIST: VICTIM AND VICTOR. Readings and Meditations. By the Reverend Kilian J. Hennrich, O.F.M.Cap. Saint Anthony Guild Press, Paterson, New Jersey. 1940. Pp. x—212. Price, $1.25.

CARRY ON! A Word to Those on Active Service. By a Lieutenant R.N.V.R. Pp. 23. *Prayers in War-time.* By the Reverend G. Cremer. Pp. iv—48. *At the Front.* Thoughts and Prayers for the Fighting Forces. By a Chaplain. Pp. 32. *Who is Jesus Christ?* By W. J. Jewell. Pp. 28. The Catholic Truth Society, London, England. 1940. Price, twopence each.

MEDICAL WORK OF THE KNIGHTS HOSPITALLERS OF SAINT JOHN OF JERUSALEM. By Edgar Erskine Hume, Lieutenant-Colonel, Medical Corps, United States Army, Knight of Honor and Devotion of the Sovereign Military Order of Malta. Foreword by His Most Eminent Highness Fra Ludovico Chigi-Albani, Prince Grand Master of the Sovereign Military Order of Malta. Preface by Lieutenant-General Sir Aldo Castellani, K.C.M.G. The Johns Hopkins Press, Baltimore, Maryland. 1940. Pp. xxii—371. Price, $3.00.

RELIGIOUS SURVEY OF THE UNDERGRADUATES 1937-1938. Bulletin of the University of Notre Dame. Notre Dame, Indiana, 1940. Pp. 136.

THE FARM BY LOUGH GUR. By Mary Carbery. Longmans, Green & Company, New York City. 1940. Pp. xix—282. Price, $2.00.

WHAT ABOUT THE CONSCIENTIOUS OBJECTOR? A Supplement to the Pacifist Handbook. Prepared by the Joint Committee on the Conscientious Objector of the Peace Section of the American Friends Service Committee and the Women's International League for Peace and Freedom. American Friends Service Committee, Philadelphia, Pa. 1940. Pp. 108. Price, 15c.

SISTER MARY FORTUNATA VITI. By the Reverend Gabriel Locher, O.S.B. Translated from the German by the Reverend Stephen Radtke, O.S.B., Ph.D. Benedictine Convent of Perpetual Adoration, Clyde, Missouri. 1940. Pp. vi—216. Price, 30c.

EDUCATIONAL IMPLICATIONS OF FOUR CONCEPTIONS OF HUMAN NATURE. By James N. Brown, Ph.D. The Catholic University of America Press, Washington, D. C. 1940. Pp. xiii—139.

ALBRECHT VON EYB. A Medieval Moralist. By the Reverend Joseph A. Hiller, C.PP.S., Ph.D. The Catholic University of America Press, Washington, D. C. 1940. Pp. xvi—220. Price, $2.00.

EDUCATIONAL THEORIES AND PRINCIPLES OF CARDINAL SILVIO ANTONIANO. By Sister M. Lauretana Zanfagna. The Catholic University of America Press, Washington, D. C. 1940. Pp. viii—134.

FOUNDATIONS OF A MODERN GUILD SYSTEM. By the Rev. Harold F. Trehey. The Catholic University of America Press, Washington. 1940. Pp. xi + 204.

AN ANALYSIS OF THE LONG PRAYERS IN OLD FRENCH LITERATURE WITH SPECIAL REFERENCE TO THE "BIBLICAL-CREED-NARRATIVE" PRAYERS. By Sister M. Pierre Koch, R.S.M. The Catholic University of America Press, Washington. 1940. Pp. viii + 204.

THE SEPARATED SOUL IN THE PHILOSOPHY OF ST. THOMAS AQUINAS. By Victor E. Sleva, Ph.D. The Catholic University of America Press, Washington, D. C. 1940. Pp. x—204.

THE STYLE OF THE LETTERS OF ST. JEROME. By John N. Hritzu, Ph.D. Catholic University Patristic Studies Vol. LX. Washington, The Catholic University of America Press, 1939. Pp. xii + 117.

SCIENCE OF LANGUAGE. Volume II: Word Study. By the Very Reverend J. J. Callahan, C.S.Sp., President of Duquesne University. Duquesne University Press, Pittsburgh, Pennsylvania, 1939. Pp. xii + 272.

WILHELMINA. By Clementia. Frederick Pustet Company, Inc., New York City, 1940. Pp. 265. Price, $1.50.

THE 1940 NATIONAL CATHOLIC ALMANAC. Compiled by the Franciscan Clerics of Holy Name College, Washington, D. C., and published with Ecclesiastical Approbation. Saint Anthony's Guild, Paterson, N. J., 1940. Pp. 759. Price, $0.75.

OUR LADY IN THE MODERN WORLD. By the Reverend Daniel A. Lord, S.J. The Queen's Work, St. Louis, Mo. 1940. Pp. 381. Price, $2.50.

In the Beginning. By the Reverend Arthur J. Sawkins. Pp. 34. *What Kind of a World Do You Want?* By the Reverend Wilfrid Parsons, S.J. Pp. 35. *Law.* By the Reverend Doctor Howard W. Smith. Pp. 34. Our Sunday Visitor, Huntington, Indiana. 1940. Price, 15 c. each.

Forgiven. By the Reverend Eugene P. Murphy, S.J. Pp. 34. *I Witness a Baptism.* By the Reverend Father Dooley, S.V.D. Pp. 29. *The Spiritual Symbolism of Television.* By the Right Reverend Monsignor Fulton J. Sheen. Pp. 13. *God, the World and the Catholic Workingman.* By the Reverend William J. Smith, S.J. Pp. 38. Our Sunday Visitor Press, Huntington, Indiana. 1940. Price, 10c. each.

GOD AND THIS WAR. By the Reverend J. J. Bevan. Pp. 20. *Darkness over the Earth.* Encyclical Letter of His Holiness Pope Pius XII. Pp. 46. *Venerable Sister Mary Assunta.* By Fflorens Roch. Pp. 32. *The Early British Church One with the Church in Rome.* By the Reverend R. Lester Guilly, S.J., M.A. Pp. 31. 1939. The Catholic Truth Society, London, England. Price, twopence each.